At-Risk Afterschool Meals

A Child and Adult Care Food Program Handbook

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Contents

Introduction 4
Legislative History 4
Who Administers The Program 5
About this Guidance 5

Part 1: Eligibility Requirements 6
A. Program Eligibility 6
B. Organization Eligibility 7
C. Area Eligibility 8
D. Participant Eligibility 10
E. Licensing and Health and Safety Requirements 10
F. Questions and Answers 10

Part 2: Applying to Participate in the Program 13
A. Application Procedures for New Institutions 13
B. Application Procedures for Experienced Institutions 18
C. Changes to Participating Centers 19
D. Application Process for Institutions Participating in Other CACFP Components 19
E. Questions and Answers 19

Part 3: Meal Patterns and Food Service 20
A. Meal Patterns for Children 20
B. Required Meal Components 23
C. Milk Substitutions 27
D. Food Substitutions 27
E. Offer Versus Serve (OVS) 28
F. Water 28
G. Questions and Answers 29

Part 4: Reimbursements 31
A. Claims for Reimbursement 31

B. Process for Reimbursement 31

Part 5: Recordkeeping and Reporting 32
A. Required Records 32
B. Record Retention 33
C. Reporting Requirements 33
D. Questions and Answers 33

Part 6: Monitoring 34
A. State Agency Monitoring Requirements 34
B. Sponsoring Organization Monitoring Requirements 35
C. Corrective Action 37

Part 7: Resources 38

Introduction

The at-risk afterschool meals 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.

Reimbursement for at-risk afterschool snacks has been available since the 1990s. However, reimbursement for at-risk afterschool meals was available only in a few States. The Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296) expanded the availability for at-risk afterschool meals to all States.

Legislative History

The first reimbursements for at-risk afterschool snacks were provided through demonstration projects beginning in 1994. Below is a brief overview of the laws that Congress has passed that have expanded the program over the years.

1994: *The Healthy Meals for Healthy Americans Act of 1994 (P.L. 103-448)*

- Authorized several demonstration projects, including a project providing snacks to children, between the ages of 13 and 18, in areas with high rates of violence or drug and alcohol abuse.

1998: *The William F. Goodling Child Nutrition Reauthorization Act of 1998 (P.L. 105-336)*

- Authorized CACFP reimbursement for snacks to children through age 18 in afterschool programs in all States.

2000: *The Agricultural Risk Protection Act of 2000 (P.L. 106-224)*

- Expanded the "at-risk" afterschool component of CACFP to allow reimbursement for meals for children through age 18 in afterschool programs in the following States: Delaware, Pennsylvania, Michigan, and Missouri. Two additional States, New York and Oregon, were selected by USDA on a competitive basis out of a pool of 10 applicant States.

2001: *The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (P.L. 107-76)*

- Authorized meal reimbursement for afterschool programs in Illinois.

2008: *2008 Consolidated Appropriations Act (P.L. 110-161)*

- Authorized meal reimbursement for afterschool programs in West Virginia.

2009: *The Fiscal Year 2009 Omnibus Appropriations Act (P.L. 111-8)*

- Authorized meal reimbursement for afterschool programs in Maryland and Vermont.

2009: *The Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2010 (P.L. 111-80)*

- Authorized meal reimbursement for afterschool programs in Connecticut, Washington D.C., Nevada, and Wisconsin.

2010: *The Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296)*

- Expanded meal reimbursement for at-risk afterschool programs in all States.

Who Administers the Program?

The U.S. Department of Agriculture's (USDA) 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.

Locally, public or private non-profit organizations that want to "sponsor" the Program apply and are approved by the State agency (SA) to operate the Program. These sponsoring organizations (sponsors) sign an agreement with their SA and are responsible for overseeing the program at the sites that they sponsor. Sponsors receive the Federal reimbursement through the SA to cover the administrative and operating costs of preparing and serving meals to eligible children at their program sites. However, centers offering an afterschool program are not required to work with a sponsor to participate in CACFP. They may apply directly to the SA and operate as an independent center.

About this Guidance

This handbook addresses CACFP requirements that apply to at-risk afterschool care centers. In this handbook, you will find information about:

- Eligibility requirements,
- How to apply to participate in the program,
- Meal patterns and food service requirements,
- Reimbursement,
- Recordkeeping requirements, and
- Monitoring requirements.

At-risk afterschool care centers provide a much-needed service to their communities. They give children a safe place to go after school and nutritious food that gives them the energy they need to concentrate on homework and join their friends in physical, educational, and social activities. FNS acknowledges the dedication and commitment of sponsors and centers to ensuring that the meals claimed for reimbursement meet CACFP requirements, and that meal time is a pleasant, nutritious, and sociable experience for the children in their care.

Part 1: Eligibility Requirements

Organizations may participate in the at-risk afterschool meals component of CACFP as an independent afterschool program or through a sponsor. This section will explain which programs and individuals are eligible to participate in the at-risk afterschool meals component of CACFP.

A. Program Eligibility

To be eligible to participate in the at-risk afterschool meals component of CACFP either independently or through a sponsor, an afterschool program must:

- Be organized primarily to provide care for children after school or on the weekends, holidays, or school vacations during the regular school year (an at-risk afterschool 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);

- Provide organized regularly scheduled activities (i.e., in a structured and supervised environment);

- Include education or enrichment activities; and

- Be located in an eligible area (see Part 1, Section C) [7 CFR §226.2; 7 CFR §226.17a(b)].

Effective October 1, 2010, programs in all States that meet these requirements are eligible to receive reimbursement for meals and snacks served to eligible participants. Previously, programs in all States were eligible for reimbursement for snacks. However, only programs in certain States were eligible for reimbursement for meals.

Athletic Programs

Organized athletic programs that only participate in interscholastic or community level competitive sports (for example, youth sports leagues such as “Babe Ruth” and “Pop Warner” baseball leagues, community soccer and football leagues, area swim teams, etc.) may not be approved as sponsors or independent centers in the Program.

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 [7 CFR § 226.17a(b)].

Special Needs Programs

At-risk afterschool 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.

Weekends, Holidays, and Vacations

Under the CACFP at-risk afterschool meals component, meals and snacks may be reimbursed if they are served on weekends or holidays, including vacation periods (for example, spring break), during the regular school year only.

In areas where schools operate on a year-round basis (i.e., the regularly scheduled school year is year-round), at-risk afterschool programs set up to serve children attending the year-round schools may receive reimbursement for meals and snacks through the CACFP all year [7 CFR § 226.17a(b)(i)].

Summer Programs

At-risk afterschool programs that wish to continue operation over the summer months when school is not in session, may be eligible to receive reimbursement for meals and snacks through the Summer Food Service Program (SFSP). Please contact your State agency for more information.

B. Organization Eligibility

At-risk afterschool programs that meet the requirements above must be operated by an eligible organization to receive reimbursement. Eligible organizations are those that:

- Meet State and/or local licensing or health and safety standards (see Part 1, Section E);
- Are operated by public agencies, tax-exempt nonprofit organizations, for-profit organizations that meet the requirements described below, or are currently participating in another Federal program requiring nonprofit status [7 CFR §226.17a(a)].

For-Profit Centers

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

- 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.

This 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. In addition, in order to claim reimbursement in any calendar month, the center must meet the 25 percent threshold in that month.

In determining a for-profit center's eligibility for at-risk afterschool meals program reimbursement, only the enrollment/licensed capacity of the traditional child care component of the center may be considered in calculating whether the center meets the 25 percent criterion.

> **EXAMPLE:** A for-profit child care center located in a low-income area has 32 pre-school children enrolled for care, and also operates an afterschool program for school-age children. The center would be able to claim reimbursement through CACFP for meals served under the traditional child care component and for afterschool snacks, in any month in which at least 8 of the 32 pre-school children are eligible for free or reduced price meals or are title XX recipients.

Traditional 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, traditional 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.

Centers operating both the traditional and at-risk components of the CACFP may only claim a total of two meals and one snack or one meal and two snacks, per child per day, including the afterschool snack [7 CFR § 226.17a(k)].

C. Area Eligibility

As noted above, to be eligible to participate in the at-risk afterschool meals component of CACFP, a program must be located in an eligible area. This means that the site is located in the attendance area of a public school (an elementary, middle, or high school) where at least 50 percent of the students are eligible for free or reduced price meals under the NSLP. This is referred to as "area eligibility." SAs have current area eligibility data for all public schools to help determine if a site is area eligible [7 CFR §226.17a (i)].

Only data from appropriate neighborhood school(s) may be used to establish a site's area eligibility; district wide data may not be used.

> **EXAMPLE:** If a Boys and Girls Club is located in the attendance area of a high school with less than 50 percent free or reduced price enrollment but is also in the attendance area of a middle school where 50 percent or more of the enrolled children are certified as eligible for free or reduced price meals, then the Boys and Girls Club at-risk afterschool program would be area eligible.

Area eligibility determinations must be based on the total number of children approved for free and reduced-price school meals for the preceding October, or another month designated by the National School Lunch Program (NSLP) SA. A site's area eligibility determination made under CACFP is valid for 5 years [7 CFR § 226.17a(i)(3)].

EXAMPLE: If a site is determining area eligibility in August 2011, the most current October data would be October 2010. That eligibility would continue through August 2016.

Organizations should contact the SA that administers the CACFP to obtain free and reduced price school enrollment data. NSLP SAs are required to provide to the CACFP SA a list of area eligible schools each year [7 CFR § 210.19(f)].

NOTE: Area eligibility based on school data as described above is the ONLY method for establishing site eligibility. Census data may not be used to determine area eligibility in the at-risk afterschool meals component of CACFP. Sites also may not collect participant income information to establish eligibility.

Private and Charter School Data

Because most private schools (and some charter and magnet schools) do not have defined attendance areas, generally private school free and reduced price enrollment data may not be used to determine area eligibility. However, if an at-risk afterschool program site is located in a private school, then that site may use the free and reduced price enrollment data for that private school, or free and reduced price enrollment data for the public school attendance areas in which the private school is located, to qualify as an area eligible site.

In areas that do not have specific assigned schools but allow children to enroll in any of the area schools, at-risk afterschool care 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. FNS will work with SAs on a case-by-case basis to determine the area eligibility of at-risk afterschool programs operating in non-school sites in areas with unassigned attendance areas *[Afterschool Snacks in the National School Lunch Program (NSLP) and the At-Risk Component of the Child and Adult Care Food Program (CACFP), Questions and Answers, Edition 3, December 1, 1999*].

Busing

If an at-risk afterschool program is located in an area that has mandated busing of students, site eligibility based on school data may be determined using one of two methods. Eligibility may be based on the enrollment data obtained for:

- the school the children attend and are bused to, or
- the school the children would have attended were it not for the school's busing policy (the neighborhood school where the children live)

A site may be determined area eligible in situations as described above only if the SFA can document the percentage of children eligible for free and reduced-price meals at each school before and after students are reassigned. The same method of determining site eligibility must be used for all sites participating under that program sponsor to avoid duplicate counting [*CACFP 02-2011 Effects of Busing on Area Eligibility in Child and Adult Care Food Program December 6, 2010].*

D. Participant Eligibility

At-risk afterschool 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. Reimbursement also may be claimed for participants who turn age 19 during the school year [7 CFR §226.17a (c)]. There is no age limit for persons with disabilities [7 CFR §226.2 Definitions]. Federal law has no minimum age for at-risk program participants.

Meals and snacks served to children who are enrolled in preschool, Head Start, Even Start, etc. and who are participating in an eligible afterschool program are eligible for reimbursement.

> **EXAMPLE:** Serving lunch to children after half-day kindergarten or a half-day Head Start Program is allowable through the at-risk afterschool meals component of CACFP because their school day has ended. However, before approving an institution to operate such a program, States should ensure that the same children who are receiving lunch in the at-risk afterschool program are not being served lunch in school as well.

E. Licensing and Health and Safety Requirements

Federal law does not require licensing for centers participating in the at-risk afterschool meals component of CACFP. However, States or local jurisdictions may require licensing. If there is no State or local requirement for licensing, then afterschool care programs must meet State or local health and safety standards.

Organizations should check with their CACFP SA to determine the requirements they must meet to participate in the at-risk afterschool meals program in their community [7 CFR §226.17a(d)].

Schools that participate in the NSLP or School Breakfast Program (SBP) do not have to meet any additional health and safety requirements to participate in the at-risk afterschool meals component of CACFP [*Child and Adult Care Food Program (CACFP): Health and Safety Standards for Outside-School-Hours Care Centers (OSHCCs) and At-Risk Afterschool Care Centers July 6, 2001].*

F. Questions and Answers

1. Can we use our school district data to establish area eligibility or do we have to use just one school?

Only data from the appropriate individual school(s) may be used to establish a site's area eligibility. Therefore, your program must be in the attendance area of a school where at least 50 percent of the children are eligible for free or reduced price meals.

2. If area eligibility was determined by a school that closes, may census data be used instead?

No. CACFP regulations require that, except for emergency shelters, at-risk afterschool programs must be located in the attendance area of a public school (an elementary, middle,

or high school) where at least 50 percent of the students are eligible for free or reduced price meals under the NSLP. However, school data is valid for a period of five years, so, once a center qualifies based on school data, it would be eligible for the remainder of the five-year period even if the school closes during that period.

3. **If our State does not require licensing for at-risk centers and has no existing health and safety standards for afterschool centers, can we still participate in the program?**

   No. Meeting State and local health and safety standards is a requirement for participation. In the absence of State or local health and safety standards, State agencies are encouraged to work with the appropriate State and local officials to create such standards.

4. **I run an afterschool program that is not in an eligible area, but 50% of the children I serve receive free and reduced price school meals. Is my center eligible to participate in the program?**

   No. CACFP regulations require that, except for emergency shelters, at-risk afterschool programs must be located in the attendance area of a public school (an elementary, middle, or high school) where at least 50 percent of the students are eligible for free or reduced price meals under the NSLP.

5. **Can a school system participating in both the SBP/NSLP and the at-risk component of the CACFP receive reimbursement under CACFP for a meal and snack served to children who also received breakfast and lunch under the SBP/NSLP?**

   Yes. Based on the nature of the at-risk afterschool meals component of CACFP, the expectation is that most of the participating children attend school and receive free and reduced price meals. With that in mind, schools that serve children meals through NSLP are eligible for reimbursement for a meal and a snack served to children in an at-risk afterschool program through CACFP. However, schools may not serve children an afterschool snack through NSLP and then serve those same children an additional snack through CACFP.

6. **Are programs that operate on weekends and/or holidays eligible for reimbursement?**

   Yes. Meals and snacks may be reimbursed if they are served on weekends or holidays, including vacation periods (for example, spring break), <u>during the regular school year only</u>.

7. **Do emergency shelters have to prove that they are located in a low-income area to participate?**

   No. 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 [7 CFR §226.2 Definitions].

8. **Do at-risk sites have to choose which meal they will serve or can they serve different meals to different groups of children or on different days?**

   At-risk sites may serve up to one meal and one snack per child per day. This could be any meal and they 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 a full day of school.

9. Can States limit the ages of children that may participate in at-risk afterschool programs to teens?

Federal law places no minimum age limit on at-risk program participants, therefore States may not limit the ages of children that may participate in at-risk afterschool programs to teens.

Part 2: Applying to Participate in the Program

This section provides information on the application process for participation in the at-risk afterschool meals component of CACFP.

A. Application Procedures for New Institutions

Organizations must submit an application (written or electronic) to the SA to participate in the at-risk afterschool meals component of CACFP. Applicants must describe how they meet the eligibility criteria (see Part 1). The SA will do a pre-approval visit of private nonprofit and for-profit institutions to confirm the information in the application and to further assess the institution's ability to manage CACFP [7 CFR §226.6(b)(1)].

<u>The following components must be included in a new institution's application</u>:

- **Confirmation of Area Eligibility of Centers**

  Sponsors must submit a list of all applicant afterschool centers and documentation showing that the centers are located in eligible areas. Independent centers also must provide documentation that they are located in an eligible area [7 CFR §226.17a (e)].

  Applicant organizations should contact the SA that administers CACFP to obtain free and reduced price school enrollment data for proof of area eligibility. NSLP State agencies are required to provide to the CACFP SA a list of area eligible schools each year.

- **Non-discrimination Statement**

  Sponsors and independent centers must submit a non-discrimination policy statement and a media release unless the SA has issued a statewide media release on behalf of all institutions [7 CFR §226.6 (b)].

- **Management Plan**

  Sponsors must submit a management plan that includes:

  - Detailed information on the organization's management and administrative structure;
  - An administrative budget that includes projected CACFP administrative earnings and expenses and demonstrates the institution's ability to manage Program funds;
    - Sponsors' budgets may not have administrative costs higher than 15 percent of the year's estimated meal reimbursements. States may waive this limit, but waivers should only be granted if the sponsor provides justification that it needs Program funds in excess of 15 percent, and the SA is convinced that the institution will have adequate funding to provide high quality, nutritious meals and snacks.

- A list or description of the staff assigned to Program monitoring; and

- The procedures that the organization will use to administer the Program and that sponsors will use to disburse payments to sponsored child care facilities [7 CFR §226.6 (b)].

NOTE: School food authorities that are already successfully participating in the NSLP are not required to submit a separate management plan [CACFP 08-2008, *Streamlining At-Risk Afterschool Meal Participation for the School Food Authorities Currently Participating in the Nation School Lunch Program,* June 6, 2008].

Documentation of Licensing/Approval

All sites must show that they meet State or local licensing requirements, if applicable. If there are no State or local licensing requirements, sites must show that they meet local health and safety standards [7 CFR §226.17a (e)].

Documentation of tax-exempt status

All private nonprofit institutions must provide documentation of their tax-exempt status under the Internal Revenue Code of 1986 [7 CFR §226.6 (b)].

Preference for commodities/cash in lieu of commodities

The USDA donates commodities to States and States make those commodities available to institutions. Institutions must indicate in their application if they prefer commodities or cash in lieu of commodities. Each year, State agencies must provide institutions with information about foods that will be available that year. This information is provided to the SA by FNS [7 CFR §226.6 (h)].

Providing benefits to unserved facilities or participants

Sponsoring organizations must show documentation indicating that they meet their State's criteria for ensuring delivery of benefits to otherwise unserved facilities or participants.

Ineligibility for other publicly funded programs

If an institution or any of its principals are included on the CACFP National Disqualified List (NDL) or have been declared ineligible for any other publicly funded program for violating that program's requirements, States must deny their application.

So that States can make this determination, institutions must submit:

- A statement listing the publicly funded programs in which the institution and its principals have participated during the past 7 years; and

- A certification that during the last 7 years, neither the institution nor its principals have been declared ineligible to participate in any other publicly funded program by reason of violating that program's requirements; or

- Instead of certification, an institution may provide documentation that it was later reinstated or determined eligible for the program, including the payment of any debts owed.

Information on criminal convictions

If an institution or any of its principals have been convicted of any activity related to lack of business integrity in the past 7 years, a SA may not approve the application. 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 related activity as defined by the State.

Certification of Truth in Application and Submission of Names and Address

Institutions must certify that all information on the application is true and correct, along with the name, mailing address, and date of birth of the institution's executive director and chairman of the board of directors.

Outside Employment Policy

Sponsors must submit an outside employment policy restricting other employment by employees that interferes with an employee's performance of Program duties and responsibilities.

Bond

Sponsors must submit a bond, if required by State law, regulation, or policy.

Compliance with Performance Standards

An applying Institution must demonstrate that it can comply with the following performance standards:

- <u>Financial viability and financial management</u>

  1. Institutions must document that participation will help ensure the delivery of benefits to otherwise unserved facilities or participants.

  2. Institutions must demonstrate that they have the financial resources to operate the Program on a daily basis and enough sources of funds to withstand temporary interruptions in Program payments and/or fiscal claims against the institution.

3. Costs in the institution's budget must be necessary, reasonable, allowable, and appropriately documented.

- <u>Administrative capability</u>

  1. Institutions must have an adequate number and type of qualified staff.

  2. Sponsors must employ enough staff to meet the monitoring requirements (one full-time staff person for each 25-150 centers it sponsors) [7 CFR §226.16(b)(1)].

  3. Sponsors must have written policies and procedures that assign responsibilities and duties, and ensure compliance with civil rights requirements.

- <u>Program accountability</u>

  1. Nonprofit institutions must have adequate oversight by the governing board of directors.

  2. The institution must have a financial system with management controls in writing. For new sponsors these written policies must ensure:

     a) Fiscal integrity and accountability for all funds and property received, held, and disbursed;

     b) Integrity and accountability of all expenses incurred;

     c) That all claims will be processed accurately , and in a timely manner;

     d) That funds and property are safeguarded and used, and expenses incurred, for authorized Program purposes; and

     e) That a system of safeguards and controls is in place to prevent and detect improper financial activities by employees.

  3. Institutions must maintain records to document compliance with Program requirements, including budgets, accounting records, approved budget amendments, and for sponsors, management plans.

  4. New sponsors must document in their management plan that they will:

     a) Provide adequate and regular training of staff and sponsored centers;

     b) Perform monitoring to ensure centers are appropriately operating the Program; and

c) Have a system in place to ensure that administrative costs funded from the Program do not exceed 15 percent of estimated or actual meal reimbursements.

5. Independent centers and sponsored facilities must have practices in place to ensure that the meal service, recordkeeping, and other Program requirements are performed properly. These practices must be documented in the application of independent centers or the sponsor management plans and must document that centers will:

   a) Provide meals that meet meal pattern requirements;

   b) Comply with any licensing and health and safety requirements;

   c) Have a food service that complies with applicable State and local health and sanitation requirements;

   d) Comply with civil rights requirements;

   e) Maintain complete and appropriate records on file; and

   f) Claim reimbursement only for eligible meals.

SA Review of Applications

The SA must determine the eligibility of each at-risk afterschool program based on the information included in the application. The SA also must determine the area eligibility of independent at-risk afterschool care centers [7 CFR §226.17a (f)].

SAs must notify institutions in writing if they have been approved to participate in the Program within 30 days of receipt of a complete application [7 CFR §226.6(b)].

Agreement

Once the SA has approved an organization's application, the SA and the sponsor or independent center will enter into a permanent agreement. The agreement must describe the approved at-risk afterschool care program(s) and list the approved facilities. The agreement also must require the institution to comply with applicable requirements.

Although the agreement is permanent, it may be terminated for cause by the SA if the institution does not comply with Program requirements [CACFP 07-2011, *Permanent Agreements in the Summer Food Service Program and the Child and Adult Care Food Program,* January 14, 2011].

School Food Authorities

The requirements for school food authorities (SFAs) that provide afterschool meals are more flexible because they are already operating another child nutrition program. SAs that administer more than one child nutrition program are required to enter into a single agreement with SFAs that operate more than one Child Nutrition Program.

When applying to participate in CACFP, SFAs that have successfully operated the NSLP are not required to provide additional evidence of administrative capability and financial viability. Additionally, SAs may waive the requirement for SFAs to submit a separate management plan for CACFP. SFAs have additional flexibility relating to the meal patterns (see Part 3, Section E).

> **EXAMPLE:** If an SFA is already participating in NSLP and wishes to offer the at-risk afterschool meals component of CACFP, the SA could simply add an addendum to the existing agreement [CACFP 08-2008, *Streamlining At-Risk Afterschool Meal Participation for the School Food Authorities Currently Participating in the Nation School Lunch Program,* June 6, 2008].

B. Application Procedures for Experienced Institutions

As a result of the passage of the Healthy, Hunger-Free Kids Act of 2010, renewing institutions are no longer required to submit renewal applications on a periodic basis. Instead, renewing institutions are required to annually provide:

- Updated licensing information for each independent center and facility participating in CACFP (the State may choose to get this information directly from the State licensing agency);
- Certification that any information previously submitted to the State is current (see http://www.fns.usda.gov/cnd/Care/Regs-Policy/policymemo/2011/CACFP-19-2011.pdf for a prototype certification);
- For sponsors, a budget for the upcoming year and, if required by the SA, a budget for independent centers;
- A media release announcing the availability of meals and snacks at no charge to the institution's attendance area (unless the State chooses to issue a statewide media release);
- Area eligibility data for each new center (or centers whose five-year qualification period is expiring), which may include the most recent free and reduced-price school data and attendance area information which it has obtained, or verified with the appropriate school officials to be current, within the last school year [7 CFR §226.17a (g)].

C. Changes to Participating Centers

Independent centers or sponsors must notify the SA of any substantive changes to the at-risk afterschool program, including changes to existing sites, contact information, and key staff. Sponsors that want to add new at-risk afterschool centers must provide the SA with information indicating that the new centers meet Program requirements, including area eligibility [7 CFR §226.17a (h)]. These centers must be approved by the SA before claims may be submitted.

D. Application Process for Institutions Participating in Other CACFP Components

If an institution is already participating in CACFP and wants to add at-risk afterschool meals and/or snacks, the agreement with the State agency must be amended to reflect this additional meal service and its requirements.

E. Questions and Answers

1. **Because agreements between States and sponsors are permanent, is it necessary to provide free and reduced price school data in subsequent years of operating the Program?**

   Yes. Sponsors must still verify eligibility of centers and area eligibility determinations remain valid for five years. “Permanent” is intended solely to convey that the agreement has no predetermined expiration date and does not need to be renewed.

2. **How do I demonstrate that I am serving an unserved population?**

   Institutions must demonstrate in the management plan that their participation will help ensure benefits to otherwise unserved facilities or participants. States establish their own criteria for determining if an applicant’s participation will benefit unserved facilities or participants.

Part 3: Meal Patterns and Food Service

The CACFP meal patterns require at-risk afterschool centers to serve meals that meet the nutritional needs of children, are consistent with the Dietary Guidelines for Americans, and are appetizing. Meal pattern requirements assist the menu planner in providing well-balanced meals and snacks that provide the appropriate amount of energy and nutrients a child needs during critical stages of growth.

The charts that follow show the required components for snacks and meals, with the minimum required serving sizes. Because older children have greater food needs, sponsors may serve larger portions to satisfy a child's appetite. Please remember that all food components (menu items) must be served to each child all at the same time (plated together) except in the case of school sponsors that elect to use offer versus serve (OVS) (see Part 3, Section E).

A. Meal Patterns for Children

The chart below lists the meal pattern requirements for children 6 to 12 years old for breakfast, lunch, supper, and snack. Meal patterns for younger children are available at http://www.fns.usda.gov/cnd/Care/ProgramBasics/Meals/Meal_Patterns.htm.
Children ages 13 through 18 must be served minimum or larger portions specified for children 6 through 12.

Child Meal and Snack Requirements

***Please Note**: For snacks, 2 of the 4 components must be provided for a meal to qualify as reimbursable.*

Food Components for Ages 6-12	Breakfast	Lunch/Supper	Snack
Milk			
Milk, fluid low fat or non-fat	1 cup	1 cup	1 cup
Vegetables and/or Fruits[1]			
Vegetable(s) and/or fruit(2); **or**	½ cup	¾ cup	¾ cup
Vegetable or fruit juice (full strength)	½ cup	¾ cup (6 fl oz)[2]	¾ cup (6 fl oz)
Grains and Breads[3]			
Bread; **or**	1 slice	1 slice	1 slice
Cornbread, biscuits, rolls, or muffins, etc.; **or**	1 servings	1 serving	1 serving
Cold dry cereal; **or**	¾ cup or 1 oz	¾ cup or 1 oz	¾ cup or 1 oz
Cooked pasta or noodle product; **or**	½ cup	½ cup	½ cup
Cooked cereal or cereal grains or an equivalent quantity of any combination of grains/breads	½ cup	½ cup	½ cup
Meat and Meat Alternates			
Lean meat or poultry or fish[4]; **or**	A meat/ meat alternate is not required at breakfast	2 oz	1 oz
Cheese; **or**		2 oz	1 oz
Eggs; **or**		1 large egg	½ large egg
Alternate protein product; **or**		2 oz	1 oz
Cooked dry beans or peas; **or**		½ cup	¼ cup
Peanut butter or soynut butter or other nut or seed butters; **or**		4 tbsp	2 tbsp
Peanuts or soynuts or tree nuts or seeds[5]; **or**		1 oz = 50%	1 oz
Yogurt[6]; **or**		8 oz or 1 cup	4 oz or ½ cup
An equivalent quantity of any combination of the above meat alternates			

Endnotes

1. Serve two or more kinds of vegetable(s) and/or fruit(s) or combination of both.
2. Full-strength vegetable or fruit juice may be counted to meet no more than one-half of this requirement.
3. Breads and grains must be made from whole-grain or enriched meal or flour. Cereal must be whole-grain or enriched flour.
4. A serving size consists of the edible portion of the cooked lean meat or poultry or fish.
5. Nuts and seeds may meet only one -half of the total meat/meat alternate serving and must be combined with another meat/meat alternate to fulfill the lunch/supper requirement.
6. Yogurt may be plain or flavored, unsweetened or sweetened.

Below are sample menus for snacks, lunches, and suppers:

Sample Snack	
1 oz. cheese ½ cup enriched macaroni Water	4 oz lowfat yogurt 1 oz graham cracker sticks (4 crackers) Water
Sample Supper	
2 oz lean, hamburger made from 100% ground beef ½ cup baked sweet potato fries ½ cup apple slices 1 whole wheat bun 1 cup nonfat milk	1 cup (8.8 oz by wt) chicken salad ½ cup lettuce and tomato salad ¼ cup pineapple 1 slice 100% whole wheat bread 1 cup 1% milk

B. Required Meal Components

The following sections provide details on each of the meal pattern components.

Meat and Meat Alternates

At-risk afterschool centers are required to serve a meat or meat alternate at all meals and may choose to serve a meat or meat alternate at snack. For entrees that include meat, the meat or meat alternate must be served in the main dish and one other menu item for lunch/supper meals. Additionally, any dish served must contain at least ¼ ounce of a meat/meat alternate per serving in order to be counted toward the meat/meat alternate requirement.

Examples of meats/meat alternates:

Meat, fish, poultry, and eggs
Beef, chicken, fish, ham, pork, turkey, and eggs

Cheese
Swiss, ricotta, part-skim mozzarella, cottage cheese, American, cheddar, and other cheeses

Dry beans and peas*
Lentils, navy beans, black beans, kidney beans, pinto beans, black-eyed peas, refried beans, chickpeas, and soy nuts

* May also count as a vegetable, but not in the same meal

Peanut butter and other nut butters**
Peanut butter, almond, and other nut butters

** **Caution:** Children under 4 years of age are at the highest risk of choking. Young children should not be fed spoonfuls or chunks of peanut butter or other nut butters. Instead, USDA recommends that peanut butter and nut butters should be spread thinly on bread or crackers.

Nuts and seeds***
Walnuts, peanuts, almonds, soy nuts, other nuts, and seeds

*** Nuts and/or seeds should be served to all children in a prepared food and be ground or finely chopped.

Yogurt
Commercially produced yogurt, plain or flavored, unsweetened or sweetened

Alternate Protein Product (APP)
APP is an ingredient mixed/made into such foods as ground beef patties, meat loaf, tuna salad, chicken nuggets, pizza toppings, etc.

BETTER CHOICES FOR BETTER MEALS

- ✓ Serve peanut butter with apple chunks on whole wheat bread.
- ✓ Serve lean meats, skinless poultry, and low-fat cheeses.
- ✓ Mix ground beef with ground turkey for hamburgers or taco filling.
- ✓ Try lentils or navy beans in soup.

Vegetables and Fruits

At-risk afterschool centers are required to serve a vegetable and/or fruit as a component for each reimbursable meal and may choose to serve a vegetable or a fruit for a snack. Reimbursable lunches/suppers require two or more servings of a different vegetable and/or fruit.

Items that are mixtures of multiple vegetables and/or fruits (for example, fruit salad, vegetable medley, etc.) only count as one vegetable/fruit serving. Mixed dishes containing at least ¾ cup or more of each different fruit/vegetable in combination with a meat/meat alternate are considered as two servings of the vegetable/fruit component and meet the full requirement.

Guidelines for Fruit Juice

- No more than ½ of the fruit/vegetable component requirement can be met with full strength 100% juice during lunch/supper.
- May not be served as a snack if fluid milk is the only other component being served.
- Should be pasteurized to reduce the chance of getting sick.

To align with the most current Dietary Guidelines, centers are encouraged to serve more vegetables from the dark green, deep orange and red, and dry beans and peas categories for optimal nutrition. Serving fresh fruit ensures that a variety of fruit will be offered since many fruit are only available in their fresh form.

Examples of vegetables and fruits:

Vegetables (dark green, red, orange)
Broccoli, carrots, romaine lettuce, collard greens, green pepper, kale, pumpkin, spinach sweet potato, winter squash

Vegetables (starchy)
Potatoes, corn, green peas

Vegetables (Other)
Cabbage, cauliflower, celery, cucumbers, green beans, lettuce, okra, onions, summer squash, vegetable juice, zucchini, green pepper

Dry beans and peas*

Black beans, chickpeas, kidney beans, lentils, navy beans, peas, pinto beans, soy beans
*May also count as a meat/meat alternate, but not in the same meal

Fruits (citrus, melon, berries)

Oranges, grapefruit, citrus juices (orange juice, pineapple juice, etc.), cantaloupe, watermelon, strawberries

Fruits (other)

Apple, apricot, banana, cherries, fruit juice (apple juice, grape juice, etc.), grapes, peach, pear, pineapple, plum, prunes, raisins

BETTER CHOICES FOR BETTER MEALS

- ✓ Mix a colorful medley of broccoli, cauliflower, and carrots.
- ✓ Use spinach, romaine, and mixed greens for salad.
- ✓ Serve seasonal vegetables (artichokes, pumpkin, okra, etc.).
- ✓ Offer canned fruits packed in light syrup or natural juices.
- ✓ Buy frozen mixed fruit and add fresh bananas.
- ✓ Introduce unfamiliar fruits such as kiwi, papaya, mango, apricots, dates, and figs
- ✓ Limit the amount of juice offered in meals and snacks.

Grains and Breads

Breads or grain products must be included with all meals. Breads and grains served must be made primarily of whole-grain, enriched, or fortified flour or meal. When trying to determine if a product is whole-grain, look for the word “whole” (whole wheat, whole corn, etc.) in the first ingredient listed on the food package.

Examples of grains and breads:

Enriched breads, cereals, pasta

Bagels, cornbread, grits, crackers, pasta, corn muffins, noodles, pita bread, ready-to-eat cereal, white bread, rolls, corn tortillas

Whole-grain breads, cereals, pasta

Brown rice, oatmeal, whole corn tortilla chips, whole-grain rye bread, whole-grain ready-to-eat cereal, whole-wheat pasta, whole-grain crackers, whole-wheat bread, whole-wheat rolls, whole-wheat tortillas

WHAT DOES THAT MEAN?

- ✓ **Whole-grain flour or meal** means it is made from grinding the entire grain of wheat stalk which consist of the bran, germ, and endosperm.
- ✓ **Enriched** means additional iron, thiamin, riboflavin, niacin, and folic acid have been added because these nutrients were removed from the product during the processing stage.
- ✓ **Fortified** means additional iron, thiamin, riboflavin, niacin, and folic acid have been added because they were not included in the original form.
- ✓ If a product is truly **whole-grain, fortified, or enriched** then the product name on the food label will say whole-grain, fortified, or enriched.

BETTER CHOICES FOR BETTER MEALS

- ✓ Substitute unsweetened, whole-grain, ready-to-eat cereal for croutons in a salad or in place of crackers with soup.
- ✓ Try different pasta flavors like tomato, spinach, or whole wheat.
- ✓ Add smaller pastas such as macaroni, alphabet letters, and small shells in soups.
- ✓ Try brown rice or whole wheat pasta.
- ✓ Add whole-grain flour or oatmeal when making baked treats like cookies.
- ✓ Use whole grains in mixed dishes, such as barley in vegetable soup or stews and bulgar wheat in casseroles or stir-fry.

Milk

At-risk afterschool centers are required to serve milk at lunch and supper as a beverage. Milk used as an ingredient in cooked meals, such as casseroles, puddings, and other foods, is not considered a serving.

The Healthy, Hunger Free Kids Act of 2010 requires that all milk served in the CACFP to children over the age of two be low-fat (1%) or fat free (skim) [CACFP 21-2011, *Child Nutrition Reauthorization 2010: Nutrition Requirements for Fluid Milk and Fluid Milk Substitutions*, May 11, 2011].

Examples of milks:

Pasteurized unflavored or flavored milk, buttermilk, reduced-lactose milk, acidified milk, reconstituted powdered milk, ultra-high temperature milk

BETTER CHOICES FOR BETTER MEALS

- ✓ Offer low-fat (1%) or fat-free (skim) milk.
- ✓ Gradually get children to accept lower fat milks by reducing the fat content slowly (i.e. switch from whole to 2%, then to 1%, then to skim).
- ✓ For children who require it, serve alternative types of milks (a reduced-lactose milk, acidophilus milk, etc).
- ✓ Try shelf-stable UHT (ultra-high temperature) milk.

C. Milk Substitutions

Non-dairy milk substitutions can be made at the request of the child's parent or guardian. Additional funds are not provided for such substitutions. Therefore, providing substitutions is at the option and cost of the institution.

Non-dairy milk substitutions must be comparable to fluid cow's milk in various nutrients in order to be considered reimbursable (refer to 7 CFR 210.10 (m)(3) for requirements). Please contact your sponsor or SA about appropriate non-dairy milk substitutions. Refer to CACFP 21-2011, *Child Nutrition Reauthorization 2010: Nutrition Requirements for Fluid Milk and Fluid Milk Substitutions*, May 11, 2011, for additional guidance..

D. Food Substitutions

If a child requires substitution of a food component because of ethnic, religious, economic, or physical needs, the institution should contact their sponsor or the SA for information on how to properly request approval. FNS may grant approval of variations in food components on an experimental or a continuing basis when evidence is provided that shows that the variations are nutritionally sound and are necessary to meet ethnic, religious, economic, or physical needs [7 CFR §226.20(i)].

If an institution is serving a child with a disability that directly affects the types of foods the child can consume, the parent and/or guardian must submit a medical statement signed by a licensed physician. The medical statement must identify the child's disability and an explanation of why the disability restricts the child's diet, the major life activity affected by the diet, and the food or foods to be omitted from the child's diet and the appropriate substitutions. The institution is required to make these types of substitutions at no cost to the child's family.

If an institution is serving a child with special dietary needs (e.g., vegetarian), the parent/guardian may request substitutions by submitting a medical statement signed by a recognized medical authority, listing the foods to be omitted and appropriate substitutions. The institution can make such substitutions at its discretion. Please refer to the SA for the definition of a recognized medical authority.

E. Offer Versus Serve (OVS)

At-risk afterschool meals prepared in or by school food authorities may choose to use the NSLP and SBP meal pattern requirements or the CACFP meal patterns [7 CFR §226.20(o)].

Additionally, institutions that serve meals prepared by school food authorities 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. Institutions electing to use OVS must implement it in accordance with the approach used by the school providing the meals.

OVS may not be used with snack services [CACFP 23-2011, *Clarification on the Substitution of NSLP Meals and Use of Offer Versus Serve for CACFP Meals Prepared by Schools,* May 17, 2011].

Offer Versus Serve (OVS)

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 at-risk afterschool meals should follow the same requirements relating to OVS that they would follow under the NSLP.

> **Example:** Fun and Games Child Care operates an afterschool program at Park Center Middle School. Meals for children participating in the Fun and Games afterschool program are prepared and served in the Park Center Middle School cafeteria. Fun and Games Child Care may use OVS when providing afterschool meals, but must provide the entire snack to all children.

OVS can help minimize food waste and teach children to make choices. A resource guide on OVS is available at: http://www.fns.usda.gov/tn/Resources/OVS%20Resource%20Guide.pdf#xml=http://65.216.150.153/texis/search/pdfhi.txt?query=offer+versus+serve+&pr=FNS&prox=page&rorder=500&rprox=500&rdfreq=500&rwfreq=500&rlead=500&rdepth=0&sufs=0&order=r&cq=&id=4d9d23571a.

F. Water

Drinking water must be made available to children throughout the day, including at meal times. While water must be made available to children during meal times, it is not part of the reimbursable meal and cannot be served in lieu of fluid milk.

Water can be made available to children in a variety of ways, including but not limited to having cups available next to the kitchen sink faucet, having pitchers and cups set out, or simply providing water to a child when it is requested. Please contact your sponsor or SA for questions pertaining to this requirement [CACFP 20-2011, *Child Nutrition Reauthorization 2010: Water Availability in the Child and Adult Care Food Program,* May 11, 2011].

G. Questions and Answers

1. **Must a certain amount of time elapse between meal services when schools or organizations operate other nutrition programs in addition to afterschool snacks under CACFP?**

   No. In CACFP, there are no time restrictions for meal or snack service. However, States may establish meal time restrictions that must be approved by the FNS Regional Office.

2. **Is there any length of time required between the conclusion of school and the service of an afterschool meal or snack?**

   No. There is no federally mandated time limit between the end of school and the meal service, but the service of a meal or snack must occur during the operation of the school's afterschool care program.

3. **Is there a particular time of day that CACFP at-risk afterschool care centers must serve meals and snacks during weekends and holidays?**

   No. Although 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 snacks served through CACFP on weekends or holidays may be served at any time of day approved by the State during the school year.

4. **Is there an offer-versus-serve option for afterschool snacks?**

   No. The school or institution must serve at least two components for snacks. However, offer versus serve is permitted for meals.

5. **May USDA Foods be used in snacks?**

   Yes. Afterschool programs may use USDA Foods in their afterschool snack and/or meal service. Please note, however, that the school or organization will not earn additional entitlement foods as a result of serving afterschool snacks. The amount of entitlement foods earned will continue to be based solely upon the number of lunches or suppers served to children.

6. **An at-risk afterschool care program operates during the week and on weekends. Do the weekday and weekend meal service times need to be the same?**

   No. Meals and snacks served through CACFP on weekends or holidays may be served at any time of day approved by the State.

7. **If an afterschool care program serves both an at-risk supper and snack under CACFP, does the snack need to be served before the supper?**

   No. We recognize some children, especially those who have eaten lunch early in the day, arrive at the center hungry and ready to eat a full meal. In such cases, it may be more appropriate to serve an early supper and then serve a snack later in the evening.

8. **May all meals be served cold? Is there any requirement for a certain number of hot meals?**

   There is no Federal requirement that any meals be served hot. All requirements for meals are outlined in 7 CFR 226.20. It is possible to meet the meal pattern requirements without serving hot meals

Part 4: Reimbursements

Reimbursement for meals served to eligible children is made to those institutions that have an agreement with an SA to operate the at-risk afterschool meals component of CACFP. Reimbursements are paid out of Program funds made available to the States from the USDA. Reimbursements may be paid by the States directly to independent centers or to sponsoring organizations, which then reimburse or use the funds to provide food to sponsored facilities.

A. Claims for Reimbursement

To receive reimbursement, sponsors and independent centers must submit claims to their SA. Claims for reimbursement must report information in accordance with the financial management system established by the State. Only institutions that have an agreement with the SA will receive payments.

Reimbursements are based on the number of meals and/or snacks served to children times the free rate for meals and snacks respectively. While point-of-service meal counts are not a Federal requirement, records must be kept on the number of meals served. See **Part 5: Recordkeeping and Reporting**

Reimbursement rates are based on a formula established by Congress. Current reimbursement rates can be found at: http://www.fns.usda.gov/cnd/care/ProgramBasics/Rates/ReimbursementRates_Current.htm.

B. Process for Reimbursement

Sponsors and independent centers must submit claims for reimbursement to the SA each month. These claims must accurately report the number of meals and snacks served. Original claims must be postmarked and/or received by the SA no later than 60 days following the last day of the month covered by the claim. Some SAs may have stricter claim submission deadlines [7 CFR §226.10(e)].

Sponsored centers submit claims to their sponsor. Sponsors then check each facility's meal claim to ensure accuracy. At a minimum, edit checks must verify that each facility has been approved to serve the meals claimed and compare the number of children at each center, multiplied by the number of days on which the center is approved to serve meals, to the total number of meals claimed by the center for that month. While block claim edit checks are no longer required, sponsors may, at their discretion, retain block claim edit checks [CACFP 3-2011, *Elimination of Block Claim Edit Checks in the Child and Adult Care Food Program* December 17, 2010].

Part 5: Recordkeeping and Reporting

By keeping accurate records, institutions can ensure that they receive all the reimbursement payments to which they are entitled. This section provides information about the types of records that must be kept to justify reimbursement claims. Institutions must establish procedures to collect and maintain all program records required by the USDA and the SA.

A. Required Records

Institutions are required to keep the following records relating to participation in the CACFP:
Records relating to attendance and the number of meals served:

- Daily attendance rosters or sign in sheets, or other methods with State approval, which result in accurate recording of daily attendance;
- Number of at-risk afterschool snacks and/or meals prepared or delivered for each meal service;
- Daily record of the number of at-risk afterschool snacks and/or meals served at each snack and/or meal service; and
- Daily records indicating the number of meals, by type, served to adults performing labor necessary to the food service.

Production Records

USDA does not require production records or point of service meal counts for the at-risk component of CACFP, though States may require them [7 CFR § 226.17a (o)].

Records establishing that the meal patterns were met:

- Menus for each at-risk afterschool snack and/or meal service.

Records establishing eligibility:

- Copies of all applications and supporting documents submitted to the State;
- If applicable, information about the location and dates of child care center reviews, any problems noted, and the corrective action prescribed and effected; and
- Documentation of nonprofit food service, to ensure that all Program reimbursement funds are only used for the food service operations.

Records pertaining to fiscal management:

- Copies of invoices, receipts, or other records required by the SA financial management instruction to document:
    - Administrative costs claimed by the institution,
    - Operating costs claimed by the institution, and

    - Income to the Program;
- Copies of all claims for reimbursement submitted to the SA;
- Receipts from all Program payments received from SA; and
- If applicable, information concerning the dates, and amounts if disbursement to sponsored centers.

Records documenting training:

- Information on training session dates, locations, topics presented, and names of participants; and
- For sponsors, records documenting attendance at training of each staff member with monitoring responsibilities.

B. Record Retention

Records that support a claim must be retained for three years after the final claim for the fiscal year. However, if there are audit findings that have not been resolved, records must be retained until the audit findings have been resolved. All accounts and records should be made available upon request to the SA, the USDA, and the United States General Accountability Office for audit or review at a reasonable time or place. Failure to maintain required records will result in denial of reimbursement.

C. Reporting Requirements

At-risk afterschool care centers must report the total number of meals and snacks served to eligible children based on daily attendance rosters or sign-in sheets [7 CFR § 226.17a (p)].

D. Questions and Answers

1. Are point-of-service meal counts and production records required?

Meal counts taken at the point of service and production records are not required for afterschool meal and snack service, though individual State agencies may require them. However, accurate daily meal count records based on daily attendance rosters or sign-in sheets must be maintained. Documentation of compliance with the meal pattern and records of all purchases including food are required under CACFP.

Part 6: Monitoring

Monitoring is the process of visiting and reviewing centers. Monitoring is critical to the effective operation of the Program. As part of the review and monitoring process, SAs and sponsors must provide technical assistance. This assures that participants receive nutritious meals and that institutions receive proper financial reimbursement.

A. State Agency Monitoring Requirements

SAs must provide technical and supervisory assistance to sponsors and independent centers to ensure effective Program operation, monitor progress towards achieving Program goals, and ensure that there is no discrimination in the Program.

Review Content

SAs must assess each institution's compliance with the requirements related to:

- Recordkeeping;
- Meal counts;
- Administrative costs;
- Any applicable guidance issued by FNS, the USDA, or the State;
- If applicable, facility licensing and approval;
- If an independent center, observation of a meal service;
- If a Sponsor, training and monitoring of facilities; and
- All other Program requirements.

Frequency and Number of Reviews

SAs must adhere to the following review schedule when monitoring sponsors and independent centers:

- Annually review at least 33.3 percent of all institutions.
- At least 15 percent of the total number of facility reviews must be unannounced.
- Independent centers and sponsors of 1 to 100 centers must be reviewed at least once every 3 years.
- Sponsors with more than 100 centers must be reviewed at least once every two years (these reviews must include 5 percent of the first 1,000 centers and 2.5 percent of the centers in excess of 1000).
- New sponsors with 5 or more centers must be reviewed within the first 90 days of operations [7 CFR §226.6(m)].

Civil Rights

Institutions also must comply with the following civil rights laws and compliance will be monitored by the SA:

- Title VI of the Civil Rights Act of 1964,
- Title IX of the Education amendments of 1972,
- Section 504 of the Rehabilitation Act of 1973,
- The Age Discrimination Act of 1975 and
- The USDA's regulations concerning nondiscrimination.

B. Sponsoring Organization Monitoring Requirements

Each sponsoring organization must provide adequate supervisory and operational personnel for the effective management and monitoring of the Program at all at-risk child care centers under its sponsorship.

Pre-approval Visits and Training Requirements

Sponsors must conduct pre-approval visits to each center to discuss Program benefits and requirements and ensure that the facility is capable of providing the proposed meal service. States must also conduct training on Program duties and responsibilities to key staff from all sponsored centers prior to the beginning of Program operations. At a minimum training must include instruction appropriate to the level of staff experience and duties on:

- Program meal patterns,
- Meal counts,
- Claims submission,
- Review procedures,
- Recordkeeping requirements, and
- Reimbursement system.

Mandatory Training

Attendance by key staff, as defined by the SA, is **mandatory** at trainings.

Sponsors must provide additional annual training sessions for key staff from all sponsored child care facilities [7 CFR §226.6].

Review Elements

Reviews must:

- determine whether a facility has corrected problems noted on prior reviews;
- include a reconciliation of the facility's meal counts with enrollment and attendance records for a five day period; and
- include an assessment of the facility's compliance with Program requirements related to:
    - the meal pattern;
    - licensing or approval;
    - attendance at training;
    - meal counts; and
    - menu and meal records.

Unannounced Reviews

If a sponsor conducts 2 unannounced reviews of a facility in 1 year and finds no serious deficiencies, the sponsor may choose not to do a 3rd review of the facility that year; however, the first review in the next review year must occur no more than 9 months after the previous review [7 CFR § 226.16(d)].

Follow-up Reviews

If during a facility review, a sponsor finds one or more serious deficiencies, that facility's next review must be unannounced.

Health and Safety

If a sponsor, State, or FNS finds that a facility's conduct or conditions pose a threat to the health or safety of participating children or the public, the reviewer must immediately notify the appropriate State or local licensing or health authorities and take action that is consistent with the recommendations and requirements of those authorities [7 CFR §226.6(c)5(i)]. If the licensing or health authorities discover a problem and suspend the facility's license, CACFP participation will be immediately suspended.

Frequency and Type of Required Reviews

Sponsors must adhere to the following review schedule:

- Annually review each facility three times per year
- At least two of the reviews must be unannounced
- At least one unannounced review must include observation of a meal service
- At least one review must be during each new facility's first four weeks of operations
- No more than 6 months may elapse between reviews

Sponsors must ensure that the timing of unannounced reviews is varied in a way that would ensure they are unpredictable to the facility [CACFP 16-2011, *Child Nutrition Reauthorization 2011: Varied Timing of Unannounced Reviews in the Child and Adult Care Food Program,* 4-7-2011].

C. Corrective Action

If a participating institution has committed one or more serious deficiencies, the institution's executive director and chairman of the board of directors must receive a notice of serious deficiency. The notice must identify responsible principals and individuals and must be sent to those persons as well. The notice will specify appropriate corrective action and the time periods for completing the corrective action for the institution and responsible principals and individuals.

If one or more serious deficiencies result in a disallowance (a determination that the institution must repay the State for unearned reimbursements) the State must establish an overclaim. To the extent possible and appropriate, the State must identify the person or persons responsible for the deficiencies for the purpose of assigning financial responsibility to the responsible principal or responsible individual, in addition to the institution. Failure to take corrective action to fully and permanently correct the serious deficiency by the allotted time will result in proposed termination [7 CFR § 226.6(c)].

D. Appeals

A facility may appeal the proposed termination by requesting an administrative review within 15 days of receiving the notice of proposed termination. A hearing is then held by the administrative review official, and the official must inform the SA, the institution's executive director, and the chairman of the board of directors, and the responsible principals and responsible individuals, of the administrative review's outcome within 60 days of the SA's receipt of the request for an administrative review [7 CFR § 226.6(k)].

Part 7: Resources

State Agency Contact Information:

www.fns.usda.gov/cnd/Contacts/StateDirectory.htm.

Reimbursement Rates:

www.fns.usda.gov/cnd/care/ProgramBasics/Rates/ReimbursementRates_Current.htm

Nutrition Education Resources:

www.fns.usda.gov/tn/

teamnutrition.usda.gov/library.htm

www.choosemyplate.gov

www.dietaryguidelines.gov

Federal Resources for Afterschool Care:

www.afterschool.gov/

Frequently Used Acronyms

CACFP: Child and Adult Care Food Program

CFR: Code of Federal Regulations

CNP: Child Nutrition Programs

FNS: Food and Nutrition Service

NSLA: Richard B. Russell National School Lunch Act

NSLP: National School Lunch Program

OVS: Offer Versus Serve

RO: Regional Office

SA: State Agency

SBP: School Breakfast Program

SFSP: Summer Food Service Program

SO: Sponsoring Organization

USDA: United States Department of Agriculture