United 4 Children
Making Children a Priority

Child Nutrition
Child and Adult Care Food Program

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

To file a complaint of discrimination, write:
USDA, Director, Office of Civil Rights,
1400 Independence Avenue, SW,
Washington, D.C. 20250-9410
or call 800.795.3272 (Voice) or 202.720.6382 (TDD).

USDA is an equal opportunity provider and employer.
U4C is an Equal Opportunity Affirmative Action Employer

The information contained in this manual has been designed to assist the child care provider in participation in the Child and Adult Care Food Program (CACFP). United 4 Children is a not for profit agency which sponsors the CACFP. The CACFP provides reimbursement to qualified home child care providers for meals they serve to children enrolled in their child care homes. The CACFP was initiated to promote good eating habits among children and to assure them a well balanced diet. The program is administered nationally through the United States Department of Agriculture (USDA). The state administering agency is the Missouri Department of Health and Senior Services (MDHSS).
Everyone benefits from the CACFP. The provider receives reimbursement for the meals provided, the parents have peace of mind knowing their child is receiving a balanced diet, and the children benefit from the nutritious food served as they learns to make healthy food choices. United 4 Children wishes you success in your child care business. If you have any questions regarding the food program we are just a phone call away.

Did you know.......?

If you claimed 3 children, 5 days per week in January 2016, for breakfast, lunch, and PM snack you could receive a reimbursement check for $286.02 for tier 1. That is a pretty good reimbursement for just a few minutes of paperwork.

A check isn’t all you could receive from United 4 Children. We also offer online claiming, direct deposit, free training materials, calendar/record keeper each year and reimbursement for your own children if you are income eligible.

Please call our office at 314-531-1412 if you have any questions.
Participating in the Child and Adult Care Food Program

All licensed child care homes and registered child care homes with at least one state paid child, are eligible to participate in the Child and Adult Care Food Program. Reimbursement may be made for a maximum of 2 meals and 1 snack or 1 meal and 2 snacks per enrolled child, per day. This includes child care children and the provider’s own children if the provider’s household income falls within income guidelines (see Household Income Eligibility Application). The children are eligible to participate until their 13th birthday.

In order to participate on the food program you must agree to feed the children in your care according to the following USDA guidelines:

**Breakfast**
Milk
vegetable, fruit, or 100% fruit juice
bread or bread alternate

**Lunch or Supper**
Milk
2 vegetables or 1 fruit and 1 vegetable
1 of each bread or bread alternate
meat or meat alternate

**Snacks**
2 food items
(must be from 2 different food groups)

*At least 1 bread/bread alternate per day must be a whole grain.

Sample Menu
Breakfast
Cheerios
Banana
Milk

Lunch
Baked Chicken
Whole Grain
Bread Green
Beans
Pineapple
Milk

Snack
Vanilla Yogurt
Site Sheet
The site sheet gives U4C and MDHSS basic information concerning your child care business. If there is a change in any site sheet information you must contact U4C immediately to notify us of the changes.

Contract Agreement
The permanent agreement between U4C and your child care home is a document which specifies the rights and responsibilities of U4C as a sponsoring agency and the home child care provider. Read this agreement carefully, if there is anything you do not understand or if you have questions, please ask your Nutrition Consultant to explain it to you or call the office.

You will receive a copy of the site sheet and the permanent agreement along with your approval letter to start claiming on the food program. These documents must be retained as long as you continue to participate on the CACFP. Your start date and provider ID number will be noted in the approval letter. **Your provider ID number is not your license number.** On the date noted you will start keeping menus, meal participation, and attendance records. If you do not have children in your care at that time you should start keeping records on the first day children start coming to you for care.

Record Retention
You are required to maintain copies of all food program paperwork for 3 years plus the current year. These records must be available in your home for review when requested. This includes: menus/meal participation forms, attendance forms, enrollments, annual training quiz, site sheet, permanent agreement, copies of home visit reports, the training checklist from your initial visit, tier letters, and approval letters to claim your own children or foster children (if applicable). Online claimer will need to print your menus/attendance either daily or weekly or save them electronically to have copies available for review.

State License
To participate on the CACFP, providers must be state licensed or registered with the state and caring for children paid for by the CCAP program.

Licensed Providers:
Providers may not be reimbursed for meals served during a time when their license is not valid. Don’t allow your license to expire. If you move or have a change in number of household residents you must notify your Licensing Representative. Also contact U4C to make necessary adjustments. You are responsible for notifying U4C of any capacity changes; however, we recognize the change only when it is verifiable through the State database.
United 4 Children does not reimburse for meals claimed for more than your allowable license capacity plus your own eligible children. Information given on your menus/meal participation forms is taken as you give it. Deductions for over capacity will be made based on the number of children in attendance at a given time, even if they are not claimed. We are required to report violations of licensing capacity. If you have questions regarding this policy, please ask for clarification.
Child Information Form (Green Sheet)
You will be getting a Child Information Form or Green Sheet every month. This is a good opportunity for the provider to correct any inaccuracies in the data.

- This form will be sent to you every month listing your enrolled children.
- It is signed and returned every month with the claim.
  - Ex. December’s Green sheet will be mailed with December menu/attendance forms, due the 5th of January.
- You can notify us of any changes to your data by making notes on the back

Sample Child Information Form

<table>
<thead>
<tr>
<th>Child’s number</th>
<th>Use this number to bubble-in the number in the attendance area of the menus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child’s name</td>
<td></td>
</tr>
<tr>
<td>Child’s drop date: write in the child’s last day in care. The child will remain on this report for a few months to maintain your option to file a late claim during those months.</td>
<td></td>
</tr>
<tr>
<td>Child’s date of birth</td>
<td></td>
</tr>
<tr>
<td>Child’s date of enrollment</td>
<td></td>
</tr>
<tr>
<td>Child’s age as of the first of this month</td>
<td></td>
</tr>
<tr>
<td>Any special codes that apply to each child (Described here)</td>
<td></td>
</tr>
<tr>
<td>Signatures and dates</td>
<td></td>
</tr>
</tbody>
</table>

We do not reimburse morning snack or lunch meals for school-aged children unless you note the reason for their attendance. School holidays or closing dates should be marked on the back of this green sheet.

If you are enrolling new children this month, have parents fill out part 1 and 2 enrollment forms. (Refer to page 7 for more information on enrolling children) Write the child’s name in the next available slot. In this example, it would be child #12.
Using the Regular and Infant menus

1) **Provider number.** Write in your Provider number in the boxes along the left. This is NOT your DVN number. U4C will provide you your provider number. (example: Provider number 4200)

2) **Month.** Bubble in the month you are claiming. (example: March)

3) **Day.** Write in the day and bubble in the corresponding number. (example 12th)

4) **Attendance.** Record the numbers of the children being served (1-35) in the bubbles. These numbers can be found on the Child Information Form that you receive each month. (example: Children 1,2,5 and 22 were served at this meal)

5) **Meal items** served. Write in what you served. (example for Lunch)

   Next to the milk option, write in the number of children present during the meal/snack but not served the meal/snack.

**Infant menus (Milk)** Bubble in the I,B,J for the age group of the infant 0-3,4-7,8-11 (example: Infant formula for 4 month old)

6) **Sign & date,** send in the top copy and keep the bottom copy for your records.

**Online claiming available after claiming on paper for the first 3 months on the program. Talk to your nutrition consultant for more information about claiming online.**
Enrollment Forms

- Due in the office on or before the 25th of the month.

- Every child must be enrolled in the CACFP whether you plan to claim them or not. This includes “drop in” children, and children who attend infrequently.

- Enrollments consist of 2 forms which must be submitted for each child.
  - Part 1 is a scan tron form, must complete with a #2 pencil
  - Part 2 you can fill out with a pen

- Related child in care form (if needed)

- Infant Feeding Preference form (needed only for infants under the age of 1 year old.)

- Enrollment forms must be dated the day the child starts in your care. Meals claimed prior to that day will not be reimbursed.

- New providers enrolling children can use their program start date as the “Date the Child Began Care”

- Enrollments are good from the day the child starts in your care until the next September 30th. Every child must be re-enrolled for the new fiscal year, which begins on October 1st of each year.

- We cannot accept enrollment forms that are incomplete. Please review enrollments before mailing them to our office to avoid having them returned.

- Each October you will be required to submit re-enrollment forms for all children in care. You will be notified by mail when these are due.

Claiming Infants on the CACFP

When enrolling infants in your child care home you are required to inform parents of the CACFP Meal Pattern Requirements for Infants. Infant meals can be reimbursed when they contain either breast milk or iron-fortified infant formula, or both, whether supplied by the parent or the provider. However, to be eligible to receive reimbursement the provider must:

- Make available at least one type of iron-fortified infant formula.
- Document the type of formula you offer and if the parent rejects the offered formula on Infant Feeding Preference Form when enrolling the infant.
- Serve infant menus according to the infant meal pattern chart.
- Document the infant’s attendance and menus/meal participation on the appropriate forms. The infant forms are green ink not blue like the older kids.
Application for Provider’s Own Children

- If your household income is at or below the levels indicated for your family size shown on the “Income Guidelines”, you are permitted to claim meals served to your children age 12 and under, on the condition that at least one enrolled child from outside the household is in your care and is being claimed for the meal service. To claim your own child you must submit an income application. If you have been determined a Tier 1 provider all that is required is that you complete and submit the Household Income Eligibility Application (HIEA) to our office for approval.
- If you are a Tier 2 provider you would need to submit an application and a copy of all federal tax forms for the previous year. The application must include the incomes of ALL persons living in the home. The USDA defines a household as a group of related or unrelated individuals who are living together as one economic unit, i.e., sharing living expenses. The income reported must include the total gross income received by all members of the household, except for the provider’s child care income and the income of other self-employed individuals. The reportable income for the provider and other self employed residents is the net income after business expenses have been subtracted. Included in the income will be wages, child support, alimony, rental income, interest, dividends, unemployment compensation, retirement benefits, disability and all other sources of income to the household.
- Self employment income that is irregular or fluctuates seasonally may be totaled for the prior year and divided by 12 to arrive at your monthly income.
- You must report the names of all member of your household. The person completing the form must include their social security number on the form.

Application for Provider’s Foster Children

- A foster child placed in your home by the court is always eligible for Tier 1 reimbursement. In order to claim the foster child you will need to submit an enrollment form and a completed HIEA. Foster children are considered a “family of 1” and the only income you need to report is the amount designated for the child’s personal use. Each foster child must have their own HIEA.

Common Errors on Menu/Meal Participation Forms

- Leaving blank areas in the circles you fill in.
- Not using a #2 pencil.
- Using an eraser that does not erase cleanly.
- Not filling in the month, date or your Provider ID#.
- Not signing and dating each form.
- Marking in circles that you are not claiming.
- Crossing out sections you are not using.
- Writing into the “office use only” area.
- Marking in the bar code area at the top of the page.
- Folding, stapling, taping or damaging forms in any way.
Common Menu Errors
Snacks must consist of 2 foods from 2 different food groups. Remember fruits, vegetables and juices are all in the same group.
Remember potatoes are a vegetable and rice and pasta are breads.
Not creditable:
- Chips
- Popsicles
- Ice cream
- Pudding
  (Except bread and rice puddings)
- Juice that is not 100%
- Kool-aid
- Lemonade
- Popcorn
- Jello

Not creditable for infants:
- Infant combination foods
- Breaded meats
- Canned fish with bones
- Adult cereals

*This is not a complete list of foods that are not creditable. Refer to the Crediting Foods Guide for more information.

Processed Foods
When serving processed foods like chicken nuggets, fish sticks, corn dogs...etc. You must have a copy of the Child Nutrition label at your facility and a copy must be in your file at U4C; or serve another meat component such as baked beans, cheese sticks, yogurt...etc.

CN Sample Label:
The six digit CN identification number in the upper-right corner is assigned by the AMS-CN Labeling Program Operations Office. The date found at the end of this statement reflects the month/year of final approval.

Family Style Meal Service
The Child and Adult Care Food Program has long been recognized for it’s nutritional goals of providing nutritious meals to children and helping establish good eating habits. Family style meal service provides a further opportunity to enhance these goals by encouraging a pleasant eating environment that will support and promote meal time as a learning experience.
Family style meal service allows children to serve themselves from common platters of food with assistance from supervising adults setting the example.

Specific requirements of the family style methods have been established by the USDA.
- A sufficient amount of prepared food must be placed on each table to provide the full required portions of each of the meal components for all children at the table and to accommodate supervising adult(s) if they eat with the children.
- Children should initially be offered a full required portion of each meal component.
• During the course of the meal, the supervising adults are to actively encourage each child to accept a full portion for each meal component. If a child initially refuses a meal component or does not accept a full portion of each meal component, the supervising adult should offer the meal component to the child again.

Serving Times
• **Breakfast** should be served **before 9 am**
• **Lunch** must be served after **10:30 am and before 1:30 pm**
• **Supper** must begin **after 4:30 pm and before 7 pm**
• **Evening snack** must begin after **6 pm and before 9 pm**
• The length of a meal or snack service should be no more than 1 hour
• It is recommended that at least 2 hours elapse between the beginning of one meal/snack and the beginning of the next meal/snack.
• **Meal/snack times must be approved by U4C before implementation.** Call U4C or e-mail if you need to change your meal/snack times. If you will serve a meal or snack earlier or later than your scheduled time you MUST notify U4C by calling extension 24 prior to the service time. If you will be closed, away from home with children or have no children for a meal or snack you MUST notify U4C by calling extension 24 prior to the service time.

Monitoring Visits
The purpose of the monitoring visit is to give you assistance and training with the CACFP, MDHSS and the USDA require that we visit each provider at least 3 times a year. At least 2 of the visits must be unannounced and visits will be conducted during your regular child care business hours. At least 2 of the visits must include the observation of a meal service and one of the meal reviews must be during an unannounced visit. A follow-up visit must be made during the child care home’s first 28 days of program operation. Menus and attendance must be up-to-date on U4C forms and enrollments must be maintained for every child less than 13 years of age in the home. These documents must be available for review at all monitoring visits whether announced or unannounced. If they are not available, deductions will be made for all meals to that point in the month for which there are no records. Failure to keep records up-to-date can result in a finding of serious deficiency. Monitor visits may be conducted at any time during your licensed hours. If you provide weekend, holiday, or night care we may visit at that time as well as during our ordinary office hours.

Types of Visits
• **Introductory visit:** The purpose of the introductory visit is to explain the rules and regulations of the CACFP, to show you how to do the paperwork and to sign you up to begin on the program as soon as you are eligible.
• **28 day follow-up visit:** The follow-up visit will be an announced visit and will be during a meal service. The purpose of this visit is to make sure that you are off to a good start with your paperwork, to answer any questions you may have and to correct any problems you may be having. If you need assistance prior to this first visit do not hesitate to call your field representative or our office.
- **Regular visit:** At these visits we will be checking your menus and attendance, enrollment forms and the documents that are to be kept in your plastic sleeve. We will also bring and discuss information regarding food program regulation, nutrition, and your operation of the food program. These visits may be announced or unannounced.

- **Technical visit:** These visits are conducted either at your request, the request of your Nutrition Consultant, or the office. At these visits we will be giving training in a specific area of the CACFP that you may be having trouble with. These visits will usually be announced.

- **Follow-up to serious deficiencies:** These visits are conducted to insure that serious problems that have been previously detected are being corrected as required.

## Household Contacts Policy

To insure the integrity of the CACFP, it is the policy of U4C, as required by the Missouri Department of Health and Senior Services and the USDA, to verify children’s attendance pattern and usual meal service participation in a child care home. We do this by telephone or written contact with the parents. CACFP sponsors are required to conduct household contacts. Some are done randomly and some are done because of particular claiming patterns. The list below outlines some of the reasons why a provider may be selected for household contacts.

- **Home visit discrepancies – Example:** A provider who claims 6 children all month and has only 2 or 3 present at the time of the last few home visits. All visit reports are compared to the monthly claims.

- **Claiming national holidays – Parents of providers claiming at full capacity on national holidays may be contacted.** While we understand that some parents have jobs which require them to work on holidays it is unlikely that all parents will be working on all or most holidays.

- **Multiple shifts – claiming at or near capacity on 2 shifts each day may indicate that the provider is operating over capacity at some points through out the day. U4C is required to report instances of over capacity to state officials.**

( The above claiming patterns may also result in more frequent unannounced visits.)

## Payment

U4C disburses payment to the provider no longer than 5 working days from the day the funds are received from MDHSS, and most often the same day the funds are received. You can generally expect to receive reimbursement sometime between the 24th and 30th of the month following your claim month. Call 314-531-1412 x55 for immediate updates on when checks are mailed.

The provider is responsible for sending in their claim and all supporting documentation on the last working day of the month. Please double check to see that all information and documents are included in your claim before mailing.

Only complete claims received in our office on or before the 5th of the month following the claim month will be processed.

Reimbursement from the CACFP is considered income. You will receive a statement of the total payment you have received at the beginning of the following year. The cost of food served
to the children in your child care is a tax deductible business expense. The more efficient you are at record keeping, the better your profits from your child care business will be. Keep all receipts related to your child care business. Label them and keep them with other important tax documents.

**Where Is My Check?**
Your claim must be postmarked or delivered to our office on or before the 5th of the month. Online claimers must submit their claim by the 3rd. We then have approximately 7 working days to process your claim.

We check your menus and compare any home visits to the claim. Your meal participation is then scanned by Acc-Trak and totaled. After Accu-Trak has done its job, we review each claim to ensure accuracy in processing.

Information is combined and submitted to the Missouri Department of Health and Senior Services (MDHSS). After they have reviewed the submissions they deposit the reimbursement money into our bank account.

We check the bank daily so that we know immediately when that deposit has been made. We have 5 working days to disperse the payments to providers but it is U4C’s policy that checks are mailed and direct deposits are made the same day we receive the money from MDHSS.

Call 314-531-1412x55 for immediate updates on when checks are mailed.

Of course, week-ends and holidays can cause these dates to vary slightly.

**Postage**
To avoid your claim being returned for insufficient postage, please make sure you use the right amount of postage. We recommend that you take your claim to the post office. (Of course, online claiming eliminates this issue!) If you post your claim with insufficient funds, the post office will not deliver it to U4C. They will return it to you which may delay your payment.

**Reimbursement Structure**
The CACFP is an entitlement program funded by the United States Department of Agriculture. The reimbursement you will receive depends on whether you are determined to be a “Tier I”, “Tier II”, or “Mixed Tier” provider.
Tier I Criteria:
- The provider resides within the boundaries of an elementary school in which at least 50% of the enrollment is eligible for free or reduced cost meals on the school lunch program. (In some instances elementary school information cannot be used.)
- The provider resides in a census block area in which at least 50% of the children 0-12 years live in homes which have household incomes of 185% or less of the poverty level. (In some instances census data cannot be used.)
- A provider determined to be “Tier I” by school or census data may be eligible to claim her own children if her household income is within the eligibility guidelines. An income application will need to be submitted and approved before the provider will be permitted to claim her own children. Providers who are determined Tier I by school or census do not need to provide supporting documentation as proof of income; only the eligibility application is required. A provider who does not meet “area” eligibility by school or census may be determined Tier I based on her own household income if the income falls within the eligible range listed on the income eligibility form. All household income must be included in the total and the provider will be required to submit documentation to verify her income. If the provider is determined to be Tier I by income she will automatically be eligible to claim her own children on the CACFP as long as child care children are present and are being claimed for the meal.
- Providers not determined Tier I by school, census, or household income will be reimbursed at the Tier II rates.

Tier II Criteria:
Providers who do not meet tier I criteria will be determined Tier II and they will receive Tier II reimbursements. If at any time your circumstances change and you feel that it may change your status, call our office. Changes might include such things as a move, change in household income or change in number of household members. Tier II providers are not eligible to claim their own children on the CACFP.

Tier II Mixed Criteria:
Some Tier II providers may be eligible to receive Tier I rates for individual children based on the child’s household income. If you believe that any children in your care are from low income families, you may request U4C send an “Income Eligibility Application” to parents for the children in your care. The packet includes a letter of explanation to the parents, an income eligibility form, directions on how to fill out the form and a mailing envelope. Parents who do not believe that they would be income eligible will not be required to disclose their income. There is a form in the packet for them to fill out stating that they have read the information and they do not believe, based on their income, that they are eligible. The parent returns the information directly to U4C. You will be reimbursed according to the information the parents submit. Children from low income families will be reimbursed at Tier I rates. The remainder of the children in your care will be reimbursed to Tier II rates. Failure of the parent to submit information will result in the child being reimbursed at Tier II rates, unless you can prove that the child meets eligibility guidelines (state pay, etc.)
Tier determinations are made after all requested information is received in U4C’s office. Please return information promptly. Information can only be approved in the month that it is actually received in our office. We cannot go back into a previous month and give credit.
If you have questions regarding “tiering” please call our office.
How to Record Split-Shift Meals and Snacks

What is split-shift meal/snack service?

A provider serves breakfast to 10 children at 7:30am (1st Shift). After breakfast, 4 of them go to school. At 8:00am, 3 children arrive and eat breakfast (2nd Shift). This is an example of a split-shift meal.

To record split-shift meal/snack service:

First column:
For the first shift of children, fill in the first column just as you would for regular meal service: Day, Menu, and Attendance.

Next column:
Using the next column for the second shift, fill in the same Day and the Split Shift circle. (Fill in the Split Shift circle only in this second column, not in the first column.) Do not fill in the menu in the second column, since the second shift is served the same foods as those recorded for the first shift.

Fill in the numbers of all children still in care at the time of the second shift’s meal/snack—even if they ate the meal/snack as part of the first shift. The computer will subtract from the second shift those children who were already claimed in the first shift.

Before submitting a claim that includes split shifts:
A provider may send in a monthly claim on which split-shift meal/snack service is recorded, the following things must be done:
- The actual split-shift transition in the provider’s home must be observed by the provider’s Monitor
- The provider’s Shift Schedule form (see example on back) must be approved by the Monitor.
- A copy of the approved Shift Schedule form must be sent to the Office with each claim that includes split-shift meal/snack service.
- Parents must sign each child in and out each day and those forms must be turned in with claim

Civil Rights Training

What is Discrimination?
Discrimination is defined as different treatment which makes a distinction of one person or a group of persons from others; either intentionally, by neglect, or by actions or lack of actions based on race, color, national origin, age, sex, and disability.

What are the Goals of Civil Rights?
The goals of civil rights are equal treatment for all, knowledge of rights and responsibilities, elimination of illegal barriers that prevent or deter people from receiving benefits, and dignity and respect for all.
Case #1
A child care provider does not provide infant foods and/or formula to infants in their care and requires parents to supply these items. Is this a civil rights issue?
Yes. All children who attend must be provided equal access to the benefits of the CACFP. Therefore, infant formula and food must be offered to infants and parents cannot be asked or required to supply these items. To withhold the program from any eligible age group is age discrimination. The parent, however, may choose to provide formula and/or food.

Case #2
Children whose first language is Spanish are asked to sit together at a Spanish-speaking table. Is this a civil rights issue?
Yes. Segregating or separating children who share a particular characteristic into groups would be considered a civil rights issue and discrimination based on the protected class of national origin.

Case #3
A family does not want to identify the race or ethnic background of the child on the enrollment form. What should the provider do?
The provider should explain to the family that self-identification is voluntary and they are NOT required to furnish information on the child’s race or ethnicity. When an applicant does not provide the information the provider must, through visual observation, record the information for them.

Case #4
The provider has observed that the boys tend to eat more that the girls so she places more than a required serving of some foods on the plates for the boys but only gives the girls the required amount of those foods. Is this a civil rights issue?
Yes. The provider cannot decide who gets more food on their plate based on the sex of the children.

Serious Deficiency Procedures
U4C is responsible for formally investigating seriously deficient providers. The following is a list of some of the issues that may be considered to be a serious deficiency.

- Submission of false information on the Site Sheet
- Submissions of false information on menus and attendance
- Submission of false information on enrollment forms
- Participation under more than one sponsor
- Not meeting the meal patterns as supplied by the USDA
- Failure to maintain records
- Failure to record menus/attendance daily
- Having conditions in the home that threaten the health or safety of a child in care or the health and safety of the public
- Criminal conviction in the past 7 years and/or lack of business integrity including, but not limited to, fraud, anti-trust violations, embezzlement, theft, forgery, bribery, and falsification or destruction of records.
- Any other circumstance that is related to non-performance under the CACFP Provider/Sponsor Agreement. Examples include, but are not limited to:
- Refusing to allow U4C, MDHSS or USDA the right to visit the provider’s home to observe meal/snack service and review records during the hours of child care operation
- Failure to participate in training
- Consistent pattern of unavailability during an unannounced or announced home visit or consistent failure to notify the office or your Nutrition Consultant if you will be closed, away from home, or have no children present during meal service times
- Claiming "ghost" or fictitious children on the CACFP.

Providers who have been found to be seriously deficient and who have submitted an approved Corrective Action Plan but who, then, repeat the same serious deficiency will receive an Intent to Terminate letter. Serious deficiency history will remain with the provider throughout the duration of their U4C sponsorship.

**Serious Deficiency Notification Requirements**

If a provider has been determined to have committed one or more of the deficiencies, U4C will:
- Supply the provider with written notice of the serious deficiency(ies)
- Offer the provider an opportunity to take corrective action
- Provide MDHSS with a copy of the serious deficiency letter

The serious deficiency letter must include:
- The serious deficiency(ies)
- The actions to be taken by the provider to correct the deficiency(ies)
- The time allotted to correct the deficiency(ies) (as soon as possible but not to exceed 30 days)
- That the serious deficiency determination is not appealable
- That failure to fully and permanently correct the serious deficiency(ies) within the allotted time will result in U4C’s proposed termination of the provider from the CACFP and proposed disqualification of the child care home and its principles
- That the providers voluntary termination of the agreement with U4C after having been notified of the serious deficiency will still result in the providers formal termination and placement on the National Disqualified List.

This letter must be sent by certified mail, return-receipt requested, by facsimile or by e-mail. If the notice is undeliverable, it is considered to be received 5 days after being sent to the addressee’s last known mailing address, facsimile number, or e-mail address.

**Corrective Action**

If a Corrective Action Plan, explaining how the serious deficiency(ies) has been corrected, is completed and returned to U4C within the allotted time and to U4C’s satisfaction, and the follow-up visit verifies this correction, U4C will notify the provider that the serious deficiency(ies) has been rescinded. A copy of the letter rescinding the serious deficiency(ies) is forwarded to MDHSS. If the same serious deficiency is found during a future home visit then U4C will propose to terminate without further opportunity to correct the deficiency.

If the provider does not fully and permanently correct the serious deficiency(ies) within the required timeframe, U4C must send a Proposal to Terminate letter based on the provider’s failure to correct the serious deficiency. When a Corrective Action Plan is submitted to U4C which does sufficiently correct the deficiency(ies) the provider will be contacted by U4C so
that additional guidance/training may be provided and the provider is given additional opportunity to submit an acceptable Corrective Action Plan.

**Notice of Proposed Termination and Disqualification**
The notice of Proposed Termination and Disqualification must:

- List each serious deficiency and the reason(s) why corrective action, or lack of corrective action, was inadequate
- Propose to terminate the provider for cause
- Propose to disqualify the provider from future CACFP participation
- Identify the effective dates of termination and disqualification (these dates must be after the deadline date for an appeal request)
- Inform the provider that his/her name will be place on the National Disqualified List for 7 years beginning with the date of termination
- State that if the provider voluntarily terminates their agreement after receiving the notice of proposed termination and disqualification the provider will still be place on the National Disqualified List
- Inform the provider that she/he may continue to participate and receive CACFP reimbursement for eligible meals/snacks served until the appeal is concluded
- Inform the provider of their appeal rights
- Send a copy to MDHSS

This notice must be sent by certified mail (return receipt requested), by facsimile, or by e-mail. If the notice is undeliverable it is considered to be received 5 days after being sent to the addressee’s last known mailing address, facsimile number, or e-mail address.

The CACFP sponsor must continue to pay the valid portion of any reimbursable claims until the serious deficiency (ies) is corrected or the agreement is terminated, including the period of the appeal. The only exception is in the case of suspension. No payments are made during the time period a provider is under suspension from the CACFP. The sponsor must always deny invalid claims.

**Placement on the National Disqualified List**
Providers terminated and disqualified through the Serious Deficiency and Suspension of Participation processes, will be placed on the National Disqualified List.[7 CFR Part 226.6©(7)(iv)(A)]. While on the list, the provider will not be able to participate in the CACFP as a day care home provider. In addition, the provider will not be able to serve as a principal (hold a management position or be an officer) in any CACFP institution or facility.

The provider will remain on the list until such time as MDHSS determines that:

1. The conduct that was the basis for the serious deficiencies has been permanently corrected, or
2. It has been seven (7) years from the date of termination and disqualification, and
3. The provider has repaid all funds received for which he/she was not eligible. If any debt relating to the serious deficiencies has not been repaid, the provider will remain on the list until the debt has been prepaid.

The state agency and the sponsor will be able to access the database to ensure providers terminated from the program are not approved for participation in the CACFP. Sponsors are prohibited from entering into an agreement with any provider who has been terminated and disqualified and is currently on the National Disqualified List.
Transfer/Move Policy
The USDA does not allow providers to transfer from one sponsorship to another during a fiscal year (October 1-September 30). However, if a day care home provider chooses to move from one sponsoring organization to another at the end of the fiscal year, they must follow certain procedures.
The following procedures must occur in order for a day care home to move to another sponsorship at the end of the fiscal year.

1. A day care home provider must notify their sponsoring organization in writing requesting to change sponsorship prior to September 10. This day never alters. If September 10th is on a Saturday or Sunday, then the first working day prior to the 10th will be the last day a provider can notify the sponsoring organization about leaving their program.

2. The new sponsoring organization must conduct a pre-approval visit and submit the Site Information Sheet by the cutoff day of October 1.

If a provider leaves their sponsoring organization during the fiscal year, then at a later date wisher to again participate in the Child and Adult Care Food Program, that provider must return to their original sponsor or wait until the beginning of the next fiscal year.

Administrative Review (Appeal) Process
The state agency requires each sponsoring organization establish an Administrative Review (Appeal) process in which the Administrative Review (Appeal) Official is an impartial and independent person not involved in the decision to terminate the provider’s participation.

Actions Subject to Administrative Reviews (Appeals)
The following appeal procedures established in accordance with 7 CFR Parts 226.6, 226.16, and 226.18 of the Child and Adult Care Food Program regulations, as amended by Public Law 106-224, shall be implemented and will be offered by the sponsor to any provider when the sponsor (1) proposes to terminate its program agreement for cause or (2) suspends their participation.

Actions NOT Subject to Administrative Reviews (Appeals)
Neither the state agency nor the sponsor is required to offer an Administrative Review (Appeal) for reasons other than those listed above.

Providing the Administrative Review (Appeal) Procedure to Providers
The sponsor will provide a copy of the Administrative Review (Appeal) procedures to each provider:
- Annually
- When the sponsor takes any action subject to an Administrative Review (Appeal) as detailed above
- Any time upon request

All family day care home providers given a Notice of Intent to Terminate for Cause has the right to appeal (request an Administrative Review). An appeal is a process by which an impartial Administrative Review (Appeal) Official reviews information provided by the sponsoring organization and the family day care home provider to determine if procedures were followed and within the federal and state laws, regulations, and policies and procedures
governing the Child and Adult Care Food Program (CACFP).

**Purpose**
The appeal procedure allows day care home providers participating in the CACFP an avenue of appeal. A provider may appeal (request an Administrative Review) when the family day care home sponsoring organization (SO):
1. Proposes termination of the provider’s program participation.
2. Suspends the provider’s agreement for program participation.

**Procedures**
Notification, request, and procedure for hearing:
1. Whenever the SO takes action that will affect the participation of a provider in the CACFP, the SO will inform the provider in writing of the action and the grounds upon which its decision is based. The SO will advise the provider of their rights to appeal.
2. Upon receipt of the letter of proposed termination, the provider must submit to the SO a written request for appeal postmarked no later than seven (7) calendar days from the date the Notice of Proposed Termination was received by the provider. The original appeal request must be sent to the SO via certified mail. The address should appear as follows:

   **United 4 Children**  
   **Attention:** Christy Frazier  
   **1310 Papin, Suite 100B**  
   **St. Louis, MO 63103**

The SO will make a copy and forward the original copy of the appeal request to the Administrative Review Official (ARO) via certified mail. The ARO will acknowledge receipt of the request for appeal to both the provider and the SO within ten (10) calendar days. This notice must be in writing.

3. The provider may refute the charges by showing that the information the sponsor has is incorrect. The provider will supply written documentation to the ARO to review. In order for the provider’s request for an appeal to be considered, written documentation must be filed with the ARO within ten (10) calendar days of the request for appeal. The SO will forward the information to the ARO not later than five (5) calendar days after the additional written documentation is filed with the SO. The ARO will review only the written documentation/record unless there are extenuating circumstances, as defined by the ARO. If the ARO determines an in-person hearing is warranted, he/she will notify both parties. The ARO will set the time and place for the review of the provider records and SO records, if there is an in-person hearing. In most cases, there is no in-person hearing. The ARO reviews all the documents and makes a decision.

4. In the case of an in-person hearing, failure of the provider to appear at a scheduled hearing will forfeit the provider’s right to appeal.

5. The provider may represent himself/herself, may be represented by another person, or may retain legal counsel.

6. Any information on which the sponsor’s action was based will be available to the provider for review. The ARO will make copies of this information available to the provider, if necessary.
7. The ARO will make a decision based solely on information provided by the SO, the provider, and on program regulations, federal and state laws, and procedures governing the CACFP.
8. The provider, the SO’s executive director, and the Missouri Department of Health and Senior Services must be notified in writing of the ARO’s final decision within thirty (30) days from the date of receipt of the request for appeal.
9. The provider may continue to operate during an appeal of proposed termination unless there is evidence of eminent threat or danger to the health or welfare of the children.
10. Providers continuing to operate while appealing the proposed termination will be reimbursed for any eligible meals served during the period of the appeal.
11. During the period of the review by the ARO, the SO will not take action to collect or offset any overpayment noted in the termination letter.
12. The decision by the ARO is the final administrative decision. There is no further opportunity to appeal to the Missouri Department of Health and Senior Services.
13. If the provider loses the appeal, the termination date of the agreement is the date of the hearing official’s decision.
14. The provider will be placed on the National Disqualified List for a period of seven (7) years, unless the provider owes money. In this case, the provider will remain on the list indefinitely or until CACFP funds have been repaid.

Appeal Procedure—Notice of Suspension
Whenever a family day care home sponsoring organization suspends the participation of a provider for imminent threat to the safety or health of children, the provider must be notified both verbally and in writing that its participation has been suspended, that the day care home is seriously deficient, and that the sponsoring organization proposes to terminate the provider’s agreement for cause. The notification in writing must be sent by USPS certified mail.

1. The notice must specify the serious deficiency(ies) found and of the provider’s opportunity for an appeal of the proposed termination.
2. The written notice must inform the provider that participation, including all payments, will remain suspended until the appeal is conducted.
3. The written notice must inform the provider that if the ARO overturns the suspension, the provider may claim reimbursement for eligible meals served during the suspension.
4. The written notice must inform the provider that termination of the agreement will result in being listed on the National Disqualified List. The provider will remain on this list for a period of seven (7) years unless the provider owes money, in which case the provider will remain on the list indefinitely or until CACFP funds have been repaid.
5. State that if the provider seeks to voluntarily terminate its agreement after receiving the Notice of Proposed Termination, the provider will still be terminated for cause and placed on the National Disqualified List.

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