Reply to
Attn. Of: CACFP-601

Subject: Child and Adult Care Food Program (CACFP) Questions and Answers

To: STATE AGENCY DIRECTORS - Colorado DPHE, Iowa, Kansas (Child Nutrition Programs) Missouri DH, Montana DPHSS Nebraska ED, North Dakota, South Dakota, Utah and Wyoming ED

Attached is a summary of questions and answers that have been raised since our last CACFP question and answer memorandum, CACFP-594, dated December 17, 1999.

We will continue to compile additional questions and answers and forward them to you periodically.

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Attachment
1. Q. Section §226.20(j) states: "In recognition of the fluctuation in participation levels which makes it difficult to estimate precisely the number of meals needed and to reduce the resultant waste, any excess meals that are ordered may be served to participants and may be claimed for reimbursement, unless the State Agency (SA) determines that the institution has failed to plan and prepare or order meals with the objective of providing only one meal per participant at each meal service." Does this apply to at-risk afterschool care centers?

A. Yes. It does apply to at-risk afterschool care centers, as do all other CACFP provisions which have not been specifically addressed in our policy memoranda for afterschool snacks. Therefore, at-risk centers may serve excess snacks to participating children and claim these snacks for reimbursement so long as the State Agency is assured that the afterschool care program is making a good faith effort to plan for one snack per child each day. Any changes to the applicability of this provision to afterschool centers would be contained in the proposed afterschool regulation.

2. Q. If the economically eligible Head Start children are in care with the same agency in the same building after the Head Start day, can the program claim the third meal served to the child at the free rate? Or would the agency have to have an income eligibility statement? Would it be any different if they were in a different building, but under the same auspices of the agency?

A. The program can claim the third meal served to the children at the free rate, as long as the children who are enrolled with Head Start are from low-income families. Head Start regulations require that at least 90 percent of the enrolled children be from low-income families. Children who participate in Head Start but who are not determined to be income eligible or who participate in a State-funded Head Start program, need to complete a free and reduced price application in order to be considered eligible for free or reduced priced meals. The income information can be shared between the Head Start and the day care and should be readily available since children are in the same building, with the
same agency; therefore, obtaining another income eligibility statement is not required. It should not be any different if they were in a different building, but under the same agency.

3. Q. Can a stamped signature be used for signatures on sponsor/provider agreements use rather than an original signature?

A. The SA should check what is required in State contract law. If the State contract law does not allow for stamped signatures, an original signature is required on the agreement.

4. Q. A SA completed a 3% verification of a pricing program. Two families did not reply and were placed on the paid category. Who would hear an appeal if the families choose to appeal?

A. The institution would hear the appeal. Its Policy Statement must contain an assurance which provides that the institution will establish a hearing procedure for use when benefits are denied or terminated as a result of verification.

5. Q. A Tier II mixed provider chooses one method of obtaining low-income information for the children in his/her care and then changes his/her mind to another method. The Tier II mixed provider decides to have the sponsoring organization provide income eligibility forms to all children in care. After it is determined which children's meals will be reimbursed at the Tier I rate, the provider changes his/her mind to have parents provide in-hand documentation showing participation in state eligible plans. Is this acceptable and how is it to be handled?

A. Yes. The sponsor may allow the provider to change his/her mind on the method used to collect low-income documentation. Any children who are determined to be eligible for the Tier I rate will remain with that determination until such time that determination expires even though the provider changes his/her mind.
6. Q. In the absence of State licensing requirements, afterschool care programs participating in the afterschool snack component of CACFP are required to meet local health and safety standards. Are afterschool care programs required to submit "proof" (for example, copies of a current fire inspection, certificate of a current health inspection, etc.) to the SA to demonstrate compliance with local health and safety requirements?

A. Yes. To be eligible to participate in the afterschool snack component of CACFP, sponsoring organizations of afterschool care programs and independent afterschool care programs must demonstrate to the SAs that they are in compliance with local health and safety standards. This is to say, that SAs need "proof"/documentation that an afterschool care program has successfully met the local health and safety requirements. Having sponsoring organizations or afterschool care programs indicate through a self-certification letter that they have met these requirements is not enough to establish such compliance. Additionally, we recognize that the health and safety standards will vary for each locale. SAs should be familiar with the local standards of participating afterschool care programs and should request the appropriate documentation to demonstrate compliance with these standards.