Child Care Center Manual

for the

Child and Adult Care Food Program

January 2018
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Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
Fax: 202-690-7442; or
Email: program.intake@usda.gov.

This institution is an equal opportunity provider.

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The policies and procedures outlined in this manual are based on Federal regulations, 7 CFR 226, Federal instructions and handbooks issued by FNS, and State Agency policies and procedures that govern the CACFP. The CACFP advises participating institutions to refer to 7 CFR 226 and this manual to obtain information about the requirements for operating the CACFP. The CACFP regulations and applicable amendments are online at http://www.fns.usda.gov/cacfp/child-and-adult-care-food-program. This manual refers to several forms developed by the CACFP for use in completing the CACFP requirements. Many of the forms are available for download from the CACFP website at www.colorado.gov/cdphe/cacfp. Please contact the CACFP office at 303-692-2330 if you are unable to access the website and need information or have questions.
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Overview of the Child and Adult Care Food Program (CACFP)

Good nutrition is important to the health of infants, children and adults. The Colorado Department of Public Health and Environment-Child and Adult Care Food Program (CACFP) is funded by the United States Department of Agriculture (USDA) to provide reimbursement to child care providers for nutritious meals served to eligible, non-residential children in child care centers, Family Day Care Homes (FDCH), homeless shelters, afterschool programs in low-income areas, Head Start and outside school hours programs, as well as to provide meals for adults in adult day care centers.

The CACFP serves
- Children under the age of 13.
- Children of migrant workers age 15 and under.
- Physically or mentally disabled persons receiving care in a family day care home or child care center where most participants are 18 years old or younger.
- Adults 60 years of age or older in a group setting outside their homes or in a group living arrangement on a less than 24-hour basis.
- Residential children in homeless shelters under the age of 18.
- Children up to 18 years old enrolled in afterschool programs in low-income areas providing education or enrichment activities. Refer to the CACFP At-risk Afterschool Manual for more information on at-risk afterschool programs.

Goals of the CACFP
- To ensure that well-balanced, nutritious meals are served to children and adults in care.
- To help children learn to eat a wide variety of foods as part of a balanced diet.
- Provide reimbursement for meals served to children or adults in care.

This manual provides instruction to institutions and sponsoring organizations participating in the CACFP that operate center-based child care centers, Head Start programs, homeless or emergency shelters, outside school hours care centers, and afterschool programs serving located in low income areas that exist as part of a child care center.

Available CACFP Manuals include
- The CACFP At-risk Afterschool Manual is available to guide institutions and sponsoring organizations sponsoring at-risk afterschool programs that are not part of a center-based child care facility.
- The CACFP Adult Day Care Manual is available to guide CACFP operations in adult day care facilities.
- The CACFP Family Day Care Home Sponsors Manual is available to guide sponsoring organizations of family day care homes.
SECTION 1 - CACFP Participation Requirements

INTRODUCTION
The CACFP offers benefits to children in various settings, including nonprofit or for-profit child care centers, family day care homes, and eligible at-risk afterschool programs, outside school hours care centers, homeless shelters, emergency shelters and Head Start programs. For each type of setting, CACFP regulations have defined eligibility requirements. In addition, the CACFP requires participating organizations, referred to as institutions throughout this manual, to meet several performance standards, which demonstrate the institution’s financial and administrative ability to operate the CACFP with integrity.

An institution is defined as a sponsoring organization, child care center, outside school hours care center, homeless or emergency shelter, at-risk afterschool center or adult day care center when the institution enters into an agreement with the State Agency to assume final administrative and financial responsibility for Program operations. An institution may be an organization that sponsors one facility/site or multiple facilities/sites where child or adult care is provided.

A site is defined as a facility or center where child or adult care is provided.

This section describes the CACFP eligibility requirements and general performance standards for institutions and sponsored child care centers, at-risk afterschool programs that exist as part of a child care center, outside school hours centers, Head Start programs, and homeless or emergency shelters. In later sections, this manual will discuss in detail specific responsibilities and requirements for the operation of the CACFP.

General Eligibility Requirements
Child care and outside school hours centers
Child care centers and outside school hours centers sponsored or operated by private, nonprofit organizations, exempt from Federal income tax, under section 501(a), including 501(c)(3) of the Internal Revenue Service (IRS) Code of 1954, are eligible to participate in the CACFP. Facilities operated by private organizations are also eligible if the organization is currently participating in another Federal program which requires nonprofit status. In either case, the organization must provide a copy of the tax-exempt status determination letter or documentation of participation in another Federal program requiring tax-exempt status. If the IRS revokes an institution’s tax-exempt status, the institution is no longer eligible for participation in the CACFP. Revocation of tax exemption is considered a serious deficiency requiring corrective action or termination.

Child care centers and outside school hours centers operated by school districts, institutions of higher education, public entities, government agencies (Federal, state, county, or local), faith-based organizations (churches), Indian tribes, or the United
States Armed Forces are also eligible for the CACFP. The CACFP does not require faith based organizations to apply for tax-exempt status or provide a determination letter.

For-profit or proprietary child care and outside school hours centers are eligible for the CACFP if at least 25% of enrolled children or 25% of license capacity are beneficiaries of the Colorado Child Care Assistance Program (CCAP) funds, which is in part supported by Title XX of the Social Security Act. For-profit child care and outside school hours centers are also eligible if at least 25% of enrolled children or 25% of license capacity qualify for Free or Reduced meals. Sites must meet this requirement each month to receive CACFP reimbursement.

If a for-profit child care center or proprietary center also operates an approved at-risk afterschool program within the center, the children who only participate in the at-risk afterschool program must not be included in the calculation to determine eligibility.

**Head Start and Homeless/Emergency Shelters**
All federally approved Head Start programs and homeless and emergency shelters are eligible for the CACFP, which are generally operated by non-profit organizations.

**Afterschool programs only**
If the outside school hours care center is only an afterschool program that operates during the school year and on non-school days, the center may be eligible for the at-risk afterschool program component of the CACFP. At-risk afterschool programs that operate afterschool enrichment programs must be located in a geographical area served by a school where 50% or more of children enrolled are certified as eligible for Free or Reduced school meals. The CACFP reimburses all meals served in an eligible at-risk afterschool program at the Free rate. Refer to the CACFP At-risk Afterschool Program Manual found on the CACFP website or contact the CACFP office at 303-692-2330 for more eligibility information about this type of afterschool program.

**Licensing Requirements for Child Care Centers**
Child care centers must be licensed by the Colorado Department of Human Services, Office of Early Childhood to provide nonresidential child care services to enrolled children. Licensing or approval for child care centers of an Indian tribe or any of the United States Armed Forces is also required, but differs from other child care centers.

**Licensing or Approval Requirements for Outside School Hours Care Centers and Afterschool Programs**
The Colorado Department of Human Services, Office of Early Childhood requires licensure of outside school hours care centers that meet certain criteria. If licensure is required by the Office of Early Childhood, the center must be licensed to participate in the CACFP. If the Office of Early Childhood does not require licensing of a particular outside school hours care centers, documentation of this exemption determination is required for the center to be eligible for the CACFP. If licensing is
not required, documentation that the center meets local health and safety standards is also a requirement to participate in the CACFP.

**Licensing or Approval for Head Start Programs and Homeless or Emergency Shelters**

Federally approved Head Start programs are eligible for CACFP participation.

Homeless shelters, emergency shelters and day shelters whose primary purpose is to serve homeless adults and their children may participate in the CACFP. Eligible programs support homeless families with children 18 years of age and younger and disabled persons of any age in temporary residential settings. Homeless or emergency shelters are exempt from licensing or approval requirements, but must demonstrate compliance with health and safety standards.

**Methods of Participation in the CACFP**

Child care centers, outside school hours care centers, homeless or emergency shelters, Head Start programs, and any other facility participating in the CACFP may participate in the CACFP as an independent center, an institution with one participating site, or as a sponsoring organization, also known as a Sponsor of Centers (SOC), an institution with multiple sites. For-profit organizations can only participate in the CACFP as a sponsoring organization if the facilities sponsored are legally affiliated with the for-profit organization. Refer to Section 5 - Sponsors of Centers in this manual for additional eligibility requirements for sponsoring organizations.

**Other General Requirements**

**Public Release Requirement**

The required annual public release announcing the availability of the CACFP is distributed by the CACFP State Agency for participating institutions and sponsored sites. The annual public release informs applicants, participants and/or potentially eligible persons of Program rights and responsibilities, the nondiscrimination policy and the procedure to file a complaint. The CACFP annual press release meets the public release requirement in the CACFP regulations.

**Information on the Special Supplemental Nutrition Program for Women, Infants and Children (WIC)**

Institution must provide families of enrolled children with current information regarding the benefits and eligibility of the Women, Infants, and Children program (WIC). The CACFP provides annual WIC information in the CACFP newsletter.

**Methods of Reimbursement: USDA Foods and Cash-in-Lieu of USDA Foods**

Institutions have the option to receive USDA Foods, also known as commodities, through the USDA Food Distribution Program after one year of participation in the CACFP. Otherwise, the CACFP reimburses institutions in the form of cash, in lieu of USDA Foods. Refer to Section 4: Program Reimbursements in this manual for more information about reimbursement options.
**Pricing versus Non-pricing Institutions**

Institutions are classified as a non-pricing institution if the institution includes the cost of meals served to the children at sites as part of a general tuition charge. Pricing institutions charge families a fee, separate from the tuition fee, for meals served to children. The CACFP regulations outline different requirements for each type of institution.

**Non-pricing Institutions**

Non-pricing institutions, which do not charge families separately for meals and snacks served at sites, receive reimbursement based upon the number of meals served to children and the income eligibility category (Free, Reduced or Paid) of the children. The institution’s operating funds from tuition or other sources pay for any differences between the CACFP reimbursement and the actual cost of meals. A non-pricing institution may choose to receive reimbursement at the Paid rate if it chooses not to collect income eligibility information from families. A non-pricing institution must ensure the following:

- The site serves all meals claimed at no separate charge regardless of race, color, age, sex, disability, or national origin.
- The site conducts the meal service free of discrimination.
- The institution claims meals for all sites in CHEARS in accordance with CACFP requirements.

**Pricing Institutions**

Pricing institutions charge families a fee for meals and snacks served at the sites that are separate from the tuition fee. These institutions may not charge fees for meals for children who qualify for Free meals. The CACFP reimburses institutions at the maximum rate for these meals.

Pricing institutions may not charge families whose child(ren) qualify for Reduced meals more than $0.40 for lunch or supper, $0.30 for breakfast, and $0.15 for snack (values defined by the Secretary of Agriculture). Pricing institutions may use the CACFP reimbursement to pay for the difference between the charge to families and the actual cost of meals. The institution must provide all enrolled children the opportunity to apply for Free or Reduced meals. A pricing institution must ensure the following:

- The institution uses USDA criteria for determining eligibility for Free and Reduced meals.
- The institution follows established, written policies and procedures for distributing applications to families to apply for Free or Reduced meals.
- The institution follows established, written policies and procedures for protecting the anonymity of children eligible for Free or Reduced meals as families make payments for full or reduced prices of meals.
- The institution follows an established, written hearing procedure to use in the event of denial or termination of Free or Reduced benefits for families.
- No child receiving Free or Reduced meals will be overtly identified at any time, or discriminated against in the course of a meal service based on race, color, age, sex, disability, or national origin.
Pricing institutions applying for participation in the CACFP must contact the CACFP office at 303-692-2330 to obtain special instructions, training and materials.

PERFORMANCE STANDARDS
The CACFP requires organizations applying for CACFP participation to demonstrate the ability to meet three CACFP performance standards. These are financial Viability, Administrative Capability and Program Accountability. The CACFP refers to these standards as VCA. CACFP regulations require the CACFP to deny the initial or recertifying applications of an institution that does not meet the CACFP performance standards. The performance standards are:

Performance Standard 1 - Financial Viability & Financial Management
An institution that applies for initial participation in the CACFP, or recertification of CACFP participation, must be financially viable. An institution must spend, and account for, CACFP funds in accordance with CACFP regulations as outlined throughout this manual.

To demonstrate financial viability, organizations must provide documentation of the following in the management plan and administrative budget:

- **Description of Need:** An organization must demonstrate that its participation will help ensure the delivery of Program benefits to facilities and participants that would otherwise not be served.
- **Fiscal Resources & Financial History:** An organization must demonstrate that it has adequate financial resources to operate the CACFP on a daily basis, has adequate sources of funds to withstand temporary interruptions in Program payments and/or fiscal claims (over-claims) and can document financial viability through audits, financial statements, etc., upon request.
- **Budgets:** An organization must document costs in the organization’s budget that are necessary, reasonable and allowable.

Performance Standard 2 - Administrative Capability
An organization applying for CACFP participation must be administratively capable to operate the CACFP. The organization must have appropriate and effective management practices to ensure operation of the Program in accordance with CACFP regulations. To demonstrate administrative capability, organizations must provide documentation of the following:

- Employment of an adequate number of qualified staff to ensure the operation of the CACFP according to regulations.
- Employment of adequate staff sufficient to meet the ratio of monitors to sites according to regulations.
- Establishment of CACFP policies and procedures in writing that assign CACFP responsibilities and duties and ensure compliance with civil rights requirements.
Performance Standard 3 - Program Accountability
An organization must have internal controls and other management systems in effect to ensure fiscal accountability and Program operations in accordance with CACFP regulations.

To demonstrate Program accountability, an organization must:
- If nonprofit, provide documentation that the organization has adequate oversight of the Program by its governing board of directors.
- Provide a written description of the financial system with management controls. These systems must assure fiscal integrity and accountability for all CACFP funds received and expenses incurred, timely and accurate claim processing, proper use and safeguards of CACFP funds and expenses, and a system of safeguards and controls to prevent and detect improper financial activities.
- Maintain appropriate records to document compliance with CACFP requirements, including budgets, accounting records, approved budget amendments, management plans, and sponsored site operations records.
- For sponsors of centers (SOC), in the management plan, document the provision of adequate and regular training of sponsoring organization and sponsored site staff, adequate monitoring of sponsored sites, and the establishment of a system to ensure that no more than 15% of CACFP reimbursement is used for administrative expenses.
- Follow Program practices in accordance with CACFP regulations with regard to the meal service, record keeping and other operational requirements. For SOCs, the application must reflect the CACFP operational practices of sponsored sites and demonstrate that they will:
  - Provide meals in compliance with the CACFP Meal Pattern requirements.
  - Comply with CACFP licensure or approval requirements.
  - Operate a food service compliant with applicable State and local health and sanitation requirements.
  - Comply with Civil Rights requirements.
  - Maintain complete and appropriate records on file.
  - Claim reimbursement only for eligible meals.

In addition to the review of application materials for new sponsoring organizations (SOCs), CACFP regulations require the CACFP to conduct a pre-approval visit or record review prior to the approval of a new sponsorship to participate in the CACFP.

CIVIL RIGHTS REQUIREMENTS
Participating institutions must make CACFP benefits available to all eligible children without regard to race, color, age, sex, disability, or national origin.

All participating institutions must notify the CACFP of any lawsuit filed against the institution or any of its sites alleging discrimination based on race, color, age, sex, disability, or national origin.
Data Collection and Reporting Requirements
The USDA and the CACFP require civil rights data collection on an annual basis. All institutions must collect data by race and ethnic category on potentially eligible populations in surrounding Program service areas. In addition, the data must include the actual number of children served by race and ethnic category.

Ethnicity Category Definitions
- Hispanic or Latino is defined as a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Race Category Definitions
- American Indian or Alaskan Native is defined as a person with origins in any of the original peoples of North, Central and South America.
- Asian is defined as a person with origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.
- Black or African American is defined as a person with origins in any of the black racial groups of Africa.
- Native Hawaiian or Pacific Islander is defined as a person with origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands.
- White is defined as a person with origins in any of the original peoples of Europe, the Middle East or North Africa.

Regulations require this data collection to determine if:
- The Program is effectively reaching potential eligible beneficiaries;
- Targeted outreach is necessary to reach certain groups and/or communities throughout Colorado.
- The participating institutions comply with civil rights requirements.

During the annual recertification process, CACFP provides area demographics to all institutions. Institutions may use the area demographics to obtain data on potentially eligible populations in surrounding Program service areas.

Institutions collect the racial/ethnic information for the children enrolled in the Program on an ongoing basis using the Income Eligibility Form (IEF) or by other processes. It is ideal for parents or guardians of the children to self-identify the racial and ethnic categories; however, if the parent/guardian declines to self-identify, the institution representative must make this determination and inform the parent/guardian that a visual identification was made and recorded on the IEF. Institutions must explain to parents/guardians that the collection of this information has no effect on the determination of their eligibility to receive Program benefits.

Institutions must keep civil rights information for all of its sites for three years and four months past the end of the current fiscal year. The CACFP will verify this information during reviews.
Limited English Proficiency (LEP) Requirements
Limited English Proficiency (LEP) persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English. All institutions must take reasonable steps to ensure LEP persons have meaningful access to information about the CACFP and related services provided by the institution. The CACFP has some materials available for non-English speaking persons. If an institution cannot assist persons or individuals with language assistance, please contact the CACFP office at 303-692-2330. The FNS website and the CACFP website has several forms translated into Spanish.

Other Civil Rights Requirements
- Each participating site must display the And Justice for All poster in a location visible by parents and visitors.
  - Contact the CACFP office at 303-692-2330 for a poster.
- An institution receiving CACFP funds cannot discriminate against enrolled children and their families or potential participating children and their families based on religion or religious beliefs.
- Each institution must inform the families of enrolled children of their Program rights and responsibilities and the steps necessary for participation. Provide a copy of the Dear Parent or Guardian Letter and IEF to families of each enrolled child every year.
- Include the nondiscrimination policy statement, as well as the procedures for filing a complaint, on all published, written information directed to families of children who are currently or potentially enrolled participants in the CACFP.
  - If the size of the material is too small to include the full statement, the material will at a minimum, include the following statement in print in the same size as the text:
    “USDA is an equal opportunity provider, employer and lender.”
- All participating institutions must notify the CACFP of any lawsuit filed against the institution or any of its sites alleging discrimination based on race, color, age, sex, disability, or national origin.

Civil Rights Training Requirements
Institutions are required to provide annual civil rights training to all staff involved in any aspect of the CACFP. Required civil rights training may include the topics listed below.

Collection & Use of Data
Each institution must collect annual racial and ethnic data. Documentation must be on file and maintained for three years and four months past the end of the current fiscal year.

Effective Public Notification Systems
Each institution must distribute information to each potential applicant for enrollment regarding the Program and its availability. This information is included in the Dear Parent or Guardian Letter.
Complaint Procedures
The And Justice for All poster provides instructions for filing a complaint and must be displayed in a visible place for all participants and parent/guardians to see.

Requirements for Reasonable Accommodation of Persons with Disabilities
Institutions must not restrict the ability of persons with disabilities to participate in the Program.

Requirements for Language Assistance
Upon request, institutions must provide Program materials for non-English speaking participants. The CACFP has materials available in other languages.

Customer Service
The CACFP provides an option for civil rights training: a written self-study training guide and knowledge quiz. The quiz, completed and signed by each staff member, should be maintained as documentation that this annual training requirement has been met. The CACFP verifies this training information during reviews or audits. Visit the CACFP website or contact the CACFP office at 303-692-2330 to request civil rights training resources.

THE CACFP APPLICATION AND RECERTIFICATION PROCESS
In accordance with CACFP regulations, CACFP requires new and participating institutions to provide specific information and documents in order to apply for CACFP participation initially and then annually thereafter to recertify participation in the CACFP. The CACFP also requires institutions to demonstrate an ability to meet established performance standards prior to participation as well as during the recertification process each year. The CACFP requires Sponsor of Centers (SOC), which are organizations who oversee CACFP operations for more than one site, to meet additional recertification requirements. Refer to Section 5: Sponsors of Centers for additional information.

The CACFP initial application and recertification process is completed online using CHEARS, the online application and reimbursement system. A CHEARS User Manual and instructional videos on accessing CHEARS and completing the application packet are located on the CACFP website at www.colorado.gov/cdphe/cacfp. To request a digital copy, please call the CACFP office at 303-692-2330.

The CACFP is a federally funded program through the USDA and follows the Federal fiscal year. The Federal fiscal year begins on October 1 and ends on September 30 each year. Please ensure the online application is completed in the current fiscal year.

Access to the CHEARS online application system
For access into CHEARS, a User ID and password request form must be completed and returned to the CACFP for processing. Request the User ID and password request form from the CACFP office at 303-692-2330.

- All individuals requesting a CHEARS User ID and password must also be included on the Certificate and Statement of Authority (CSA) as a Responsible Principal or Responsible Individual. Contact the CACFP office for more information.
• Institutions are responsible for ensuring that access rights are removed for any person no longer employed or affiliated with the institution. The CHEARS User ID and request form may be used to both add and delete access rights.

New Application Process
After a User ID and temporary password is issued, type information into the institution and site application in CHEARS. This will generate a checklist of supporting documents you will need to submit or attach.
• Most forms are located in the Download Forms section in CHEARS or on the CACFP website under Materials and Forms.
• You may scan and attach documents directly to your CHEARS application.
• CACFP accepts documents via email attachment, US Mail or fax.

Required Application Information for New Institutions
In addition to eligibility requirements previously discussed for specific types of child care facilities, the CACFP requires institutions to provide records and information as part of the online application.

The online application packet for new institutions contains:
• The institution application.
• The site(s) application.
• Board of Directors - for nonprofit organizations only and for-profit, if applicable.
• Budget - comprised of two parts: The online budget in CHEARS and the budget detail worksheet (in Download Forms in CHEARS.)
• Checklist items for institution and site(s)
  o Checklist items are generated based on how questions are answered in the institution and site applications.

Institution checklist items (if applicable as determined by the institution and site application)
• Certificate and Statement of Authority (CSA)
• IRS forms to verify tax status
• W-9
• Latest Balance Sheet and Income Statement
• Organization Chart
• Budget Detail Worksheet
• Management Plan for Sponsors of Centers (SOC)
  o Complete a management plan if the institution has more than one site.

Site checklist items
• Child care license, or license exemptions for at-risk afterschool sites.
• Health Inspection conducted within the last 12 months.
• Food Service Management Contract (FSMC), if applicable.
  o If a food service vendor is used in lieu of food prepared on site, a FSMC contract must be attached in CHEARS.
• For-profit eligibility:
- Must provide Income Eligibility Forms (IEFs) and a monthly roster of participating children.
- If using CCAP for eligibility, must provide CCAP billing statements and a monthly roster of participating children.

CACFP staff are available to assist with the online CHEARS application process. To make an appointment with the CACFP Program Assistant, please call the CACFP office at 303-692-2330.

**Pre-approval site visit**
After the online application is submitted for approval in CHEARS and all supporting documents are verified, the CACFP Director assigns a Nutrition Consultant to complete the application process with the institution. The Nutrition Consultant will conduct a pre-approval site visit for each site and review two weeks of meal records.

**Contracts**
CACFP's fiscal department will draft contracts for participation in the CACFP. A DUNS number is required for the State Agency to draft a contract. Please contact the CACFP office at 303-692-2330 for instruction on how to obtain a free DUNS number if you do not have one.

**Institution and Site Staff Training**
CACFP regulations require key staff of the institution to receive CACFP training prior to participating in the CACFP. The CACFP provides options for training, which include free training sessions and written training modules. Participating institutions must train key staff members at all sites annually on content areas defined by CACFP.
- The CACFP defines key staff as persons who oversee CACFP functions at the sites, perform record keeping tasks or maintain paperwork, perform food service and food service duties, or any person responsible for CACFP duties. These include individuals with the title director, assistant director, administrator, cook, person serving the meal, etc.
- CACFP offers free monthly training sessions in Denver and throughout Colorado. To view an online schedule and to register online, go to the CACFP website at www.colorado.gov/cdphe/cacfp/training.
- For more information on staff training requirements, refer to Section 2: Administrative Record Keeping Requirements.

**Final Application Approval**
The CACFP Director reviews the application and contract and gives final approval. Once the application packet is in Approved Status, the institution may begin claiming for reimbursement in the month preceding the date the contract is signed by both the institution and the State Agency representative.
**Annual Recertification Process**

Annually in August, the CACFP office emails all participating institutions detailed instructions on the annual recertification process and procedures. Recertification is completed online in CHEARS.

The following application information and documents may be required based on the type of participating organization:

- **Civil Rights Data**
  - Recertifying institutions must provide an annual update of the racial and ethnic data of populations served and participants enrolled as described earlier in this section. The institution must also certify that annual civil rights training was provided to all key staff.

- **Management Plans for SOC**
  - Recertifying institutions that sponsor more than one site must review and update the Management Plan at least every three years and more frequently if the institution sponsors ten or more sites. Refer to Section 5: Sponsors of Centers for additional information.

- **Budget and Budget detail worksheet**
  - Recertifying independent institutions with only one site must review and update the budget every three years during the recertification application process.
  - Recertifying SOC's may be required to update the budget more frequently. Refer to Section 5: Sponsors of Centers for additional information.

- **Eligibility requirements for for-profit institutions in a review year.**
  - Institutions must provide an enrollment roster and CCAP fiscal agreements and billing statements or IEFs for sites as documentation of CACFP eligibility. This documentation must indicate that at least 25% of enrolled participants or licensed capacities at each site are beneficiaries of CCAP or qualify for Free or Reduced meals.

- **The Certificate and Statement of Authority (CSA) must be updated if there are any changes to the Board of Directors (nonprofit) or the institution’s Responsible Principals or Individuals.**

**Certification of the application packet** for new and recertifying institutions

As part of the online application or annual recertification process, Responsible Principal(s) and Individuals of new and recertifying institutions must certify the following:

- The information on the application is true and correct.
- The institution has not been disqualified from participation in any other publicly funded program in the past seven years.
- The Responsible Principal(s) signing the certification has not been a Principal of an institution that has been ruled ineligible of violating a publicly funded program’s requirements during the past seven years.
- The Responsible Principal(s) signing the certification has not been convicted of a business-related offense during the past seven years.
• The Responsible Principal(s) signing the certification is not on the USDA’s National Disqualified List (NDL).

Reporting Changes to the Application
The CACFP requires institutions to update the online application information throughout the year as changes occur. If changes occur, institutions are required to submit any related documentation to the CACFP office for approval. As CCAP county Fiscal Agreements (FA) and FSMCs expire, the institution must update the applicable expiration date in CHEARS and attach or submit the required supporting documentation to the CACFP office for approval.

Other required updates that may occur throughout the year include, but are not limited to, changes in Responsible Principal(s) and Responsible Individuals, site closures, changes in meal times or approved meals and changes in key staff members.

If the address of a participating site changes, the institution should contact their assigned nutrition consultant for instructions. The site application in CHEARS will need to be updated and approved. If applicable, supporting documents for the site at the new address may be required. In this case, the institution should contact the CACFP office for additional guidance.

Denial of Applications
CACFP regulations require the CACFP to deny initial or recertifying applications that do not meet all the requirements discussed in this section. In the event of an application denial, the CACFP will grant the institution appeal rights. Refer to Section 6: Reviews for CACFP appeal procedures.
**SECTION 2 - Administrative Record Keeping Requirements**

**Enrollment Records**
Institutions may only claim meals for reimbursement served to children enrolled.

The CACFP and the CDHS-Division of Child Care (Rules Regulating Child Care Centers, 7.702.103) annually require sites to maintain and update enrollment records for all children in care, regardless of the children’s eligibility for Free or Reduced meals. Enrollment records must include the signature of a parent/legal guardian.

CACFP requires Head Start programs to update enrollment information every two years from the beginning of Head Start enrollment. Head Start programs must confirm enrollment information with the parent/guardian at the start of the second year of participation. CACFP does NOT require maintenance of enrollment information for children in homeless and emergency shelters or at-risk afterschool programs.

**Income Eligibility Forms (IEFs)**

The CACFP reimburses participating institutions for meals served at sites according to each enrolled child’s eligibility for Free, Reduced or Paid meals. Authorized personnel determine eligibility using income information provided on the IEF by the parent/guardian of each child.

The CACFP does not require participating at-risk afterschool programs and homeless or emergency shelters to maintain IEFs. The CACFP reimburses for meals and snacks in these settings at the Free rate.

The CACFP also does not require IEFs for children enrolled in Head Start programs at participating sites. The CACFP reimburses meals and snacks served to these children at the Free rate.

Once the IEF is complete, an authorized institution or site representative must compare the reported income on the IEF to the current Household Eligibility Guidelines and indicate the appropriate income eligibility category (Free, Reduced, Paid) on the form. The income eligibility category is used to determine the amount of reimbursement the institution will receive for the meals served to the child(ren) listed on the form.

At the time of enrollment and annually thereafter, the institution must give parents/guardians an IEF and the Dear Parent or Guardian Letter. This letter describes the CACFP, informs the parent/guardian of the procedures regarding eligibility for Free and Reduced meals, and explains the parent/guardian’s rights and responsibilities. If the parent/guardian chooses not to complete the IEF, the institution must claim meals served to all children of that family in the Paid category. The institution is not required to keep IEFs on file for children whose meals are claimed in the Paid category.

Institutions must keep a current, complete and valid IEF on file for all children whose meals are claimed in the Free and Reduced categories. This applies to all
children including those who participate in the Child Pre-school Program (CPP). For exceptions, refer to Section 1: Head Start and Early Head Start Eligibility for Free Meals for additional documentation required for children enrolled in Head Start programs.

Institutions must update IEFs annually. IEFs are current and valid for a period of 12 months after the month in which the form is received and approved by the institution. For example, if the determination date is July 2017, the form is valid from July 1, 2017 through July 31, 2018.

For the determination date, use either the date the parent/guardian signs the IEF or the date on which the institution official makes the eligibility determination and signs and dates the IEF.

Institution officials must decide which date to use as the effective date and apply the same method to all eligibility determinations made for all participants in all sponsored sites. This flexibility applies only to eligibility determinations made on complete IEFs that contain all required information.

The information reported on the IEF is confidential. Only authorized institution and site representatives, CACFP authorized staff/auditors and USDA staff should have access to the forms.

**Head Start Eligibility for Free Meals**

Children enrolled in Federal and State funded Head Start and Early Head Start programs and pregnant participants enrolled in Early Head Start are automatically eligible for Free meal reimbursement in the CACFP. Policy provision extends categorical eligibility for Free meal reimbursement for children and pregnant mothers enrolled in an Early Head Start or Head Start program, and who are also enrolled for care in an independent child care center or family day care home participating in CACFP.

Guidance from the USDA indicates that participants of State-funded pre-kindergarten programs, which have the same or stricter income eligibility standards than Head Start, and who are enrolled in a Head Start program, are automatically eligible for Free CACFP meal benefits. Therefore, a State-funded pre-kindergarten program, which in Colorado includes the Colorado Preschool Program (CPP), who is providing services to preschool children who are enrolled in Head Start programs and therefore are not required to collect IEFs for Head Start enrolled participants.

Institutions, sponsors and School Food Authorities (SFA) may establish eligibility of all Head Start enrollees through documentation provided by the Head Start program. Forms of acceptable documentation include:

- An approved Head Start application
- A statement of Head Start enrollment
- A list of participants from a Head Start official listing the Early Head Start
or Head Start participant’s name.

Parents/guardians of children enrolled in a Head Start or Early Head Start program which are also enrolled for care with an independent child care center participating in CACFP, must indicate in Part I of the IEF that their child is enrolled in Early Head Start or Head Start program. The institution must then obtain from the Head Start agency the required documentation to support Head Start eligibility. This documentation must be on file and available during CACFP reviews and audits.

Eligibility determinations for Child Nutrition Programs are made annually. As long as the child is enrolled in Head Start or Early Head Start at the time the annual eligibility determination is made, all reimbursable meals served to that child may be claimed at the Free Rate.

Child care sites providing Head Start services to only a portion of the children enrolled at the site must collect IEFs for those children not enrolled in the Head Start program or participate in other programs such as CCAP, Even Start, or CPP participants not enrolled in a Head Start program. Automatic eligibility only applies to children who are enrolled in federally funded Head Start programs. Documentation of enrollment is required annually for each CACFP participant, including those enrolled in Head Start or Early Head Start.

Completing Income Eligibility Form (IEF)
The following section describes the IEF in detail. Institution or site representatives must guide parents/guardians in filling out the IEF to ensure accuracy and completeness. If special situations arise not discussed here, please contact the CACFP office at 303-692-2330 for guidance and information.

Names of all children for whom the application is made
One IEF per household should be completed. Parents/guardians must write the first and last name and age of each child enrolled for care at the site.

Ethnicity & Race of Participating Children
Parents/guardians have the option to indicate the ethnicity and race of each child. If the parent/guardian chooses not to provide this information, the site representative must complete this portion or maintain each child’s ethnicity and race in an alternate process. The site representative must inform the parent/guardian that a visual identification will be made and the collection of this information has no effect on the determination of their eligibility to receive Program benefits. Refer to Section 1: Civil Rights Data Collection & Reporting Requirements - Participation Requirements.

Supplemental Nutrition Assistance Program (SNAP), Food Distribution Program on Indian Reservations (FDPIR) or Temporary Assistance to Needy Families (TANF) Program
If the child’s family receives benefits from SNAP, formerly known as Food Stamps, or the FDPIR, or the TANF, the parent/guardian must write the program case number on
the IEF. Children of families who provide a SNAP or FDPIR case number are eligible for Free meals. The number must be a case number, not a Social Security number or Quest card number.

**Foster Children**
Foster children are automatically eligible for Free meal reimbursement without an IEF as long as the institution obtains documentation verifying the child is a foster child. Institutions may obtain documentation for the foster child by requesting a copy of a written communication between the foster family and the placement agency. If the foster family is unable to provide this information, the institution may contact the placement agency to request documentation of the child’s status as a foster child. Institutions must keep documentation on file for review purposes.

The presence of a foster child in the household does not convey automatic eligibility for Free meals to all children in the household. Households with foster and non-foster children may choose to include the foster child as a household member, as well as any personal income received by the foster child, on the same IEF that includes their non-foster children. When determining eligibility, the institution will determine the meals for the foster child as Free, and then will determine if the remainder of the household is eligible for Free, Reduced or Paid meals based on the household’s income or other information reported on the IEF.

Foster payments received by the family from the placing agency are not considered income and do not need to be reported on the IEF.

**Homeless, Migrant or Runaway Child**
If one or more child listed on the IEF is a homeless, migrant, or runaway child, the institution must obtain documentation verifying the status of the child from the director of the homeless shelter, Migrant Education Program Coordinator, or an official of the Runaway and Homeless Youth program. A child in this category is automatically eligible for the Free rate of reimbursement.

**All Other Household Members**
The names of all persons, other than those enrolled in child care, that live in the household must be listed on the IEF, regardless of the person’s age or income.

**Reporting Household Income**
Parents/guardians completing the IEF must report current income for each person who lives in the household, which is to include all gross income received by the household during the month prior to completing the form.

Parents/guardians must report income for each person by type of income in the appropriate boxes on the form. The institution or site representative must calculate the total reported income amounts for the household and record that total amount on the IEF. If necessary, convert multiple income schedules to annual income; multiply weekly income by 52, bi-weekly income by 26, and monthly income by 12 to obtain an
annual figure. Then use this total figure to determine eligibility for Free or Reduced meals.

Income reported on the IEF must be an exact amount. Income may not be written as a range between two figures. The following types of cash income must be reported:

- Wages, salaries, commissions, fees, tips, strike benefits, commissions, fees, withdrawals from savings, investments, estates or trust accounts and other accounts.
- Net income from farm and/or non-farm self-employment
- Social Security
- Dividends or interest on savings or bonds
- Net rental income
- Public assistance
- Unemployment compensation
- Student financial assistance (grants or scholarships) not used to meet the cost of tuition, fees, books, supplies and other education expenses
- Retirement pensions (civilian, government and military)
- Veteran’s payments
- Private pensions or annuities
- Alimony or child support payments: Payments received by the household is considered income, however, any money paid out for alimony or child support may not be deducted from that household’s reported gross income.
- Regular contributions from persons not living in the household or any other money that may be available to pay for the child(ren)’s meals.
- Net royalties
- Military benefits: All cash income received by the household, such as payments while on temporary duty, must be considered as income. However, the value of benefits other than cash, such as military base housing, is not considered income. Military service members who are deployed should be considered family members living apart on a temporary basis and considered a household member. However, only that portion of the deployed service member’s income made available by them or on their behalf to the household will be counted as income to the household.
- Other cash income: Cash amounts received or withdrawn from any source including savings, investments, trust accounts, lottery winnings, garage sale proceeds and other resources, which would be available to pay the price of a child’s meal.

Special Situations: Other Income
If the prior month’s income does not accurately reflect circumstances, the parent/guardian may make a projection of current annual income. Irregular self-employment income, such as farm income, may be averaged over the previous 12 months.

- **Self-employment**: Persons who are self-employed may project their current annual income by using last year’s income as a base. Such people list their net income in this section of the IEF.
Net income for self-employed business people is calculated by subtracting business expenses from gross receipts. Business refers to a professional enterprise or partnership. Expenses include, but are not limited to the cost of goods purchased, rent, heat, light, power, depreciation charges, wages and salaries paid and business taxes (not personal income taxes). Gross receipts include the total value of goods sold or services rendered by the business.

The value of saleable merchandise consumed by the proprietors of retail stores is not included as part of net income.

- **Farmers**: A farmer is anyone who operates a farm on his/her own account as an owner, renter or sharecropper. Net income for a self-employed farmer is calculated by subtracting their operating expenses from gross receipts.

A farmer’s operating expenses include, but are not limited to: cost of feed, fertilizer, seed, and other farming supplies; cash wages paid to farmhands; depreciation charges; cash rent; interest on farm mortgages; farm building repairs; and farm taxes (not including State and Federal income taxes).

Gross receipts include, but are not limited to the value of all products sold, money received from the rental of farm equipment to others and incidental receipts from the sale of items such as wood, sand and gravel.

The value of fuel, food or other farm products used for family living is not included as part of a farmer’s net income.

In all cases of reporting net income from self-employment, operating expenses must always be subtracted from gross receipts. This difference is the amount of money available for living expenses. No negative income may be listed.

**Income Exclusions**
Income not to be reported or counted as income in the determination of a household’s eligibility for Free and Reduced benefits includes:

- **Federal Program benefits**: Any cash income or value of benefits a household may receive from any Federal program that excludes reporting such income by legislative prohibition, such as the value of SNAP benefits received, the value of Free or Reduced meals received in schools or child care programs under the National School Lunch Act, and the value of child care benefits received under Title XX of the Social Security Act.

Please note: Title XX (CCAP) payments from the CDHS to the child care center is center income, not household income.
- **Student financial assistance:** Assistance provided for the cost of attendance at an education institution, such as grants and scholarships awarded to help meet educational expenses should not be reported. However, any extra funds not used for the cost of education are considered income.

- **Loans:** Money received from loans is not considered as earned income since these funds are only temporarily available and must be repaid.

- **Per capita payments:** Payments for funds held in trust by the Secretary of Interior for the benefit of Indians (including trust funds covered by Public Law 98-64, 98 Stat. 365, August 2, 1983) are not to be counted as income or resources in determining benefits under Federal and Federally assisted programs. The Law states in part, "None of the funds and any purchases made with such funds, including all interest and investment income accrued therein while such funds are so held in trust, shall be subject to Federal or State income taxes, nor shall such funds nor their availability be considered as income or resources nor otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such household or members would otherwise be entitled under the Social Security Act, or except for per capita shares in excess of $2,000, any Federal or Federally assisted program." This exempt status continues regardless of whether the funds are deposited in a bank or other financial institution. Until further notice, proceed on the assumption that the exemption of $2,000 or less applies to each separate payment to each Indian. Only amounts in excess of $2,000 should be counted as income or resources.

- **In-kind compensation:** The value of in-kind compensation allowances, such as military base housing or other subsidized housing, medical and dental services, are not counted as income.

- **Payments received by foster parents:** Money received by foster parents for the care of foster children is not included in the household income. For more information about foster children, refer to Income Eligibility Form Definitions in this section.

- **Military Combat and/or Deployment Extension Incentive Pay (DEIP):** Money listed as part of the income received by a service member on the military Leave and Earning Statement (LES) or similar household income documentation is not counted as income.

**Household Size**
Parents/guardians must indicate the total number of people who live in the household on the IEF. The institution or site representative uses this information to determine eligibility for Free or Reduced meals.
Social Security Number
If a SNAP, FDPIR or TANF case number is not provided, the adult household member who signs the IEF must provide the last four digits of his/her Social Security number. If this person does not have a Social Security number, this must be indicated on the form using the checkbox provided. Without this information, the IEF is not valid.

Signature
The adult household member completing the IEF must sign and date the form and provide a contact telephone number and address of residence.

Institution Approval of IEF
An authorized institution or site representative must first review the IEF for accuracy and completeness and then record the total income in the appropriate space.

The authorized representative must use the current Household Income Eligibility Guidelines to determine the correct income eligibility category (Free, Reduced or Paid). The authorized representative must indicate the income eligibility category (Free, Reduced, Paid) on the IEF by checking the appropriate box in the section designated for staff use.

Once the eligibility of the form is established, the IEF is considered current and valid until the last day of the month in which the form was dated by the authorized representative one year earlier. For example, if the authorized representative of the institution signs and dates the form as of July 2017, the form is valid from July 1, 2017 through July 31, 2018.

If an IEF is expired for an entire month, the institution must claim meals for the participant in the Paid category.

If an IEF reflects zero income, the form is valid for an entire year (12-month period) from the date the parent/guardian signs the IEF or the date on which the center official makes the eligibility determination and signs and dates the IEF.

Tips for Maintaining Income Eligibility Forms (IEFs)
- Update all IEFs every July, regardless of when they expire. Every July, the CACFP provides updated Household Eligibility Guidelines to the institution. This system ensures that institutions use the most current Household Income Guidelines to determine the income eligibility of participants. In addition, staff members can update all forms at the same time each year, which minimizes errors and time spent tracking expiration dates of many IEFs.
- Keep all current IEFs together in a 3-ring binder alphabetized by last name.
- Retain valid IEFs on file for all children whose meals are claimed in the Free or Reduced categories, even if they are no longer enrolled in child care.
• When the IEFs expire, file the old IEFs together in the back of the 3-ring binder or in a separate labeled folder.
• The institution will maintain program records for 3 years and 4 months beyond the fiscal year to which they pertain. The institution also agrees that if it is no longer participating in the CACFP, the institution will maintain these program records for 6 years from the date of final payment from the CACFP.

Disaster Benefits and Eligibility for Free Meals
In circumstances where institutions are responding to situations resulting from damage or disruptions of CACFP operations due to natural disasters, CACFP allows flexibility in meal service requirements and administrative procedures. For further information, please contact the CACFP office at 303-692-2330.

Income Eligibility Form (IEF) Definitions

Adopted Child
An adopted child is a child for whom a family has accepted legal responsibility. The adopted child is reported as a member of the household in which he/she resides.

Child Living with One Parent, Relative or Friends
In cases where no specific welfare agency or court is legally responsible for the child or if the child is living with one parent, other relatives or friends of the family, the child is considered a member of the household with whom he/she resides. Children of divorced or separated parents are generally part of the household that has custody.

Foster Child
A foster child is a child who is living with a family but who remains the legal responsibility of the welfare agency or court. Foster children are automatically eligible for Free CACFP meals without an IEF as long as the institution obtains documentation verifying the child is a foster child. Institutions may obtain documentation for the foster child by requesting a copy of a written communication between the foster family and the placement agency. If the foster family is unable to provide this information, the institution may call the placement agency to request documentation of the child’s status as a foster child. Institutions must keep a copy of this documentation on file for review purposes.

Institutionalized Child
A child who resides in a residential facility that the State has determined is not a boarding school. Such a child is considered a household of one. An institutionalized child’s income includes only the income a child earns from full-time or regular part-time employment and/or personally receives while in residence at the institution. Payments from any source directly received by the institution on the child’s behalf are not considered as income to the child.

Military Families
A household member who is serving in the military overseas or is assigned to a military base for an extended period of time and is not living with the household is
not considered part of the household. Military service members who are deployed and temporarily absent from the household are considered household members. In both situations, only that portion of the service member’s income made available to the household will be counted as income to the household.

Non-citizens
Eligibility to receive meal benefits is based on the household size and income criteria for all children regardless of US citizenship.

Student Away at School
A child who is temporarily away at school (boarding school or college) and who receives his/her primary support from the family is considered a household member.

Introduction to the Record of Meals Served (ROMS)
The Record of Meals Served (ROMS) is the documentation of meals claimed each day of the week at each site, by meal type and income eligibility category, specifically for each child enrolled. The CACFP requires sites to complete these records, also known as meal counts. The ROMS are used to report monthly claims. Meal counts must be recorded on the ROMS at or near the time of the meal service each day according to visual observation that children are served a creditable meal and participate in the meal service. A completed ROMS form includes:

- The full name of each child
- The code for the income eligibility category of each child (Free, Reduced and Paid) according to the IEF. This information is coded to maintain confidentiality. For example: Z=Free, Y=Reduced, X=Paid
- A record of which creditable meals and snacks are served to each child on each day of the week.

The CACFP requires at-risk afterschool programs to maintain only records of the total number of snacks served per day. Meal counts by name and income eligibility category are not required. Children participating in these programs qualify for Free snacks.

Each month, institutions use the ROMS as a worksheet to complete the monthly claim. Accuracy is crucial to ensure the institution receives the appropriate reimbursement for meals served and to prevent errors that may result in an over-claim, for which the institution may owe funds back to the CACFP.

Institutions may claim a maximum of two meals and one snack or two snacks and one meal per child, per day. Use the ROMS to calculate total meal counts by meal type (breakfast, a.m. snack, lunch, p.m. snack, supper, late snack) and income eligibility category (Free, Reduced, Paid) as well as other information required on the monthly claim.

The CACFP provides a ROMS form for use by the sites. The institution may develop an alternate ROMS form but the site’s form must reflect the same information as the CACFP form. The CACFP staff must review and approve the alternate form for use.
Completing Record of Meals Served (ROMS)
The following section describes the ROMS form in detail. Institution representatives must guide staff in filling out the ROMS to ensure accuracy and completeness. If special situations arise not discussed here, contact the CACFP office.

Names and Income Eligibility Codes
Staff should use a separate ROMS form for each classroom or group and document meal counts for only one week on each form. When the month ends during the middle of the week, a new ROMS form must be created when the new month begins. Each ROMS form must include the following information:
- The name of the classroom or group.
- The full name of each child (last name, then first) listed alphabetically.
- The date for each day of the week.
- The code for the income eligibility category of each child (codes other than F, R and P to maintain confidentiality). ROMS should not reflect income eligibility codes on the ROMS until after the records are complete and removed from the classroom.

A valid and current IEF must be on file for all children whose meals are claimed in the Free or Reduced categories. If the institution does not have an IEF for a child, meals served to that child must be claimed in the Paid category. Authorized staff should check the information on the ROMS for accuracy.

Recording Meal Counts
Each day, at the time of meal service, staff must mark an “X” in the appropriate boxes to show who is participating in the meal service and served a creditable meal or snack according to visual observation. Institutions may:

- Claim three meals or snacks per child, per day (no more than two meals and one snack or two snacks and one meal).
- Claim meals only for children who participate in the meal service.
- Claim meals only for children who consume the meal or snack while in care, not after the child leaves the site in care of a non-staff member.
- Claim meals that meet the CACFP Meal Pattern requirements.
- Claim meals recorded only at or near the time of meal service according to visual observation.

Note: Institutions may not use attendance records to complete the ROMS because attendance records are not specific and will not reflect special situations in which meals cannot be claimed.
- Claim meals only for children for whom all of the meal components are provided by the institution.
- Claim meals only for children enrolled in child care.
- Claim only a total number of meals that does not exceed the site’s authorized child care capacity at any point in time. Refer to the section in this chapter titled Shift Care for exceptions to this requirement. It is the responsibility of
the site staff to control enrollment to eliminate any chance of exceeding capacity. There may be occasions beyond immediate control, when slight violations occur for a short time (late parents, bad weather, etc.), but regular attendance in excess of license capacity will be judged intentional and over-claims made accordingly.

- Claim reimbursement only for meals where records are available to support the claim.

**Calculating Total Meal Counts**
At the end of each week, an authorized staff member must calculate the total number of meals served to children by meal type and income eligibility category. Use a highlighter to color code each name and corresponding meal counts according to the child’s income eligibility category; this method allows for easy and accurate counting of meals within each income eligibility category.

After highlighting meal counts according to income eligibility categories, calculate the total number of Free, Reduced and Paid meals and snacks for each day. Record the totals in the appropriate boxes at the bottom of the chart. Once these totals are recorded, calculate weekly totals by meal type and income eligibility category and then record them in the Page Total box.

The CACFP requires reporting of the total number of children who ate at least one meal or snack each day during the claiming period. These daily and weekly totals are recorded in the boxes at the top of the ROMS form. This information is then transferred to the online claim in CHEARS. The ROMS must be kept on file to support all claims.

**Use of computer systems to complete to Record of Meals Served (ROMS)**
Many institutions utilize computer programs to calculate total meal counts at the end of the month to transfer to the online claim. These systems can reduce counting errors as well as the time spent calculating totals. However, income eligibility category and claiming errors can occur when entering data from the ROMS. Use caution to ensure data entry is accurate.

If staff are not using the computer system at the point of meal service. The CACFP requires institutions to maintain a hard copy of the ROMS taken at the time of meal service (generally, these are hand written records). The CACFP staff will review data on these records and compare them to computer data during a Program review.

**Shift Care**
Many sites care for children in shifts, in which different groups of children (i.e., school age children) arrive at or leave from the site and consume meals at different times throughout the day. Child care sites that care for children in shifts often claim meals of one type in excess of its authorized capacity. The CACFP requires sites to keep a schedule on file of the times specific groups of children arrive and leave as well as the times these groups consume meals. This schedule should demonstrate that
the number of children in the center at any point in time does not exceed its authorized license capacity.

Tips for Managing Record of Meals Served (ROMS)

- As children enroll or discontinue care during the month, add or cross out their names on the ROMS form. If changes to the list are made, make a new, updated master list at the beginning of the next month.
- Ensure that meals ineligible for reimbursement are not included in the daily meal count. Meals ineligible for reimbursement include, but are not limited to non-creditable meals and meals not provided by the institution.
- Ensure each child’s name is listed only once on the ROMS.
- Be sure names are not listed on the ROMS of more than one classroom or group.
- Use first and last names on the ROMS. The names listed on the ROMS must match those listed on IEFs.
- Do not include more than one month on the ROMS form at any time.
- Keep one ROMS form for each classroom or group.
- Keep the ROMS forms without the indication of income eligibility category on a clipboard with a pencil attached near the dining areas.
- Have another staff person double check counting.
- Assign a designated staff person to complete the ROMS daily in each classroom.
- Do not leave the task of counting to the end of the month; procrastinating increases the possibility of errors.

Sign-in and Sign-out Records

The CACFP requires child care and Head Start centers to maintain parent/guardian daily records of the time each child arrives and departs from the center. For licensed child care centers, the CDHS-Division of Child Care also requires these records for the protection of the center and the children (CDHS-Division of Child Care: Rules Regulating Child Care Centers, 7.702.103). The CACFP staff will request sign-in and sign-out records during a CACFP review. Institutions may develop their own sign-in and sign-out form or may use one provided by the CACFP.

Sign-in and sign-out records must display the first and last name of each child and the date, including month, day and year. Parents or persons responsible for the children must record the time the child arrives at the center and the time the child leaves the center. Parents must sign, with a legible signature, each arrival and departure time. For children who are bussed to and from the center, a staff person must complete the sign-in and sign-out record if the parent/guardian is not available to do so. The CACFP does not require institutions to print and file copies of computer-generated sign-in and sign-out records with parent signatures. Institutions using computerized systems are still responsible for maintaining sign-in and sign-out data provided by the parents and will be required to print records for a random sample of children during a CACFP review.

The CACFP requires participating at-risk afterschool programs to maintain daily attendance records of Program participants. These might be daily attendance rosters,
sign-in sheets or other methods, which result in accurate recording of daily attendance. The CACFP does not require at-risk afterschool program sites to maintain sign-in or sign-out records signed by parents. However, these sites must maintain daily records of each participant’s attendance.

The CACFP requires emergency or homeless shelters to provide records indicating the presence of participants and the duration of time at the shelter.

**Records to Demonstrate Operation of a Nonprofit Meal Service**

**Introduction to Nonprofit Meal Service**

The primary purpose of the CACFP reimbursement is to improve the quality of the meals served by the institution and ensure compliance with the CACFP Meal Pattern requirements with regard to content and quantity. After these goals are achieved, participating institutions may use CACFP reimbursement funds for other costs associated with the meal service and management of the CACFP.

The CACFP requires all institutions to establish procedures to collect and maintain documentation of nonprofit food service to ensure that all CACFP reimbursement funds are used solely for the conduct of the food service operation or to improve food service operations for the benefit of the enrolled participants.

Institutions must maintain records of their operating and administrative costs to support the operation of a nonprofit food service and demonstrate appropriate use of the CACFP reimbursement funds. Records must be legible, dated and itemized. For review purposes, institutions must keep receipts, invoices and contracts and organize them by month.

**Staff Training Records**

The CACFP regulations require key staff of the institution to receive CACFP training prior to participating in the CACFP. The CACFP provides options for training, which include formal training sessions and written training modules. Participating institutions must train key staff members at all sites annually on content areas defined by the CACFP. The CACFP defines key staff as persons who oversee CACFP functions at the sites, perform record keeping tasks or maintain paperwork, perform food service and food service duties, or any person responsible for CACFP duties. These include individuals with the title director, assistant director, administrator, cook, person serving the meal, etc.

Required annual training may include the topics listed below. All trainings must be appropriate to the level of experience and duties of staff. New staff will require more intensive training, while experienced staff may only require a refresher on the topics or training in an unfamiliar area. Likewise, staff with specific duties may not need training in all areas including:

- **CACFP Meal Pattern Requirements**: Meal pattern components, creditable and non-creditable foods and quantity of food requirements.
- **Record Keeping Procedures**: ROMS, IEFs and Claim for Reimbursement.
• **Food Service Operations**: Production records, cooking, use of the *Simplified Food Buying Guide Book*, the online Food Buying Guide Calculator and food purchasing requirements.
• **Nutrition & Physical Activity**: Healthy menu planning, nutrition and physical activity best practice guidelines.
• **Meal Service**: Family style meal service, feeding practices, role modeling, division of responsibility for eating and nutrition education.
• **Food Safety & Sanitation**: Safe food handling, sanitation of food service and preparation areas, hand washing, appropriate use of gloves and safe food temperatures.
• **CPR or First Aid training** with a choking prevention component.

**Annual Civil Rights Training Requirements**
All institutions are required to provide annual civil rights training to all staff involved in any aspect of the CACFP. Refer to Section 1: *Civil Rights Training Requirements* for more information on this training requirement.

**Training Record Keeping Requirements**
The CACFP requires institutions to maintain documentation of annual training received by key staff. Records must include the following information:

- Date of training.
- Name of instructor and/or description of materials used.
- Name and title of each attending staff member.
- List of topics covered.

**Record keeping requirements for for-profit institutions**
If sites qualify for CACFP participation by Free and Reduced eligibility of children, the institution must maintain all Free and Reduced IEFs, valid for each claiming month, to demonstrate eligibility for the CACFP. Refer to Section 1: *For-Profit Child Care & Outside School Hours Care Center* for additional information regarding CACFP for-profit qualifications.

Participating for-profit institutions whose sites qualify for the CACFP by CCAP (Title XX) participation must maintain the following CCAP records:

**Child Care Fiscal Agreements (FA)**
Agreements between a county department of social services and a child care site define the rate payable to the provider as well as payment policies and responsibilities of the county department of social services and the provider. Each for-profit site must maintain a copy of a current agreement with each county from which it receives payments.

**CCAP Child Care Attendance Record and Billing Form**
For each month, for-profit sites qualifying for the CACFP using the CCAP percentage must maintain copies of the Child Care Attendance Record and CCAP billing summary for each county. These forms are submitted monthly to the county
department to receive CCAP payments.

Child Care Provider Verification of CCAP Payroll
For each month, for-profit sites must maintain CCAP provider payroll statements, which display the names of children and the dollar amounts paid to the site for each child.

Record Retention Requirements for all Institutions
The CACFP requires all participating institutions to maintain all records required by the CACFP for three years and four months past the end of the current fiscal year. These records may be stored off-site; however, they must be accessible in the event of a review.
Introduction to CACFP Meal Patterns
The CACFP provides reimbursement funds to institutions with participating child care sites for creditable meals served to the infants and children enrolled in care. Creditable meals meet all requirements defined in the CACFP Meal Patterns for infants and children according to age. An institution may receive reimbursement only for meals that include the required components, creditable foods and adequate quantities of food.

The CACFP Meal Patterns for infants and children are based upon nutrition requirements for proper growth and development. The requirements were designed to meet approximately two-thirds of the nutrition needs for infants and children in each age group when in care for eight hours or more.

Colorado CACFP Healthier Meal Initiatives (HMI)
The current USDA Meal Pattern for CACFP allows for a wide variety of foods designed to meet basic nutrition requirements. Colorado CACFP is moving beyond these requirements with the Colorado Healthier Meals Initiative, a set of nutrition policies aimed at improving the nutritional intake of children. These new policies require participating institutions to meet the following requirements:

Policy 1: Limit 100% fruit juice to no more than twice per week
- Fruits and vegetables are more nutritious than fruit juice and provide dietary fiber. 100% fruit juice offers no nutritional advantage over whole fruits.
- Overconsumption of 100% fruit juice can contribute to weight gain and obesity.
- Providing fruits and vegetables to children instead of fruit juice reinforces healthier eating habits as children reach new developmental stages.

Policy 2: Limit processed meats to once per week
- Processed meats are typically high in sodium, saturated fat and total fat.
- Replacing processed meats with lean meats and/or meat alternates greatly reduces the amount of calories, sodium and fat in a child’s diet.

Meal Pattern Requirements for Children 1-12 years old
The CACFP Meal Pattern for children, also known as the CACFP Food Chart, specifies the minimum required meal components for breakfast, snack and lunch/supper for children aged 1-18 years. For each component, the chart also reflects the minimum required quantities for each meal type according to age. The CACFP Meal Pattern requirements for children are specific to the following age groups:
- 1 through 2 years
- 3 through 5 years
- 6 through 12 years
- 13 through 18 years
The meal components and quantities reflected in the CACFP Meal Pattern are minimum requirements to receive CACFP reimbursement. Sites may serve larger quantities of the required components and additional food items; however, the institution will not receive additional reimbursement from the CACFP. In many cases, children may need more food than the minimum requirements. The CACFP recommends sites prepare adequate quantities of food to meet the needs of growing children.

For children over the age of one year, the CACFP requires sites to purchase and provide all of the food components to receive reimbursement for meals and snacks. The new meal pattern regulations allow parents to provide one component (non-disability related) and still be able to claim for reimbursement.

When using the CACFP Meal Pattern to plan meals for children in care, remember the following specific requirements:

- At snack, two varieties of food from the same group of components (turkey and cheese or apples and orange juice) do not meet the requirement to serve at least two of the five possible components, regardless of quantity. Sites must select the two food items from two different component groups.
- At snack, sites may not serve fruit or vegetable juice with milk as the only two snack components.
- Many food items require a second component from the same group; the quantities of these foods are not sufficient or reasonable to count as a creditable part of the meal. For example:
  - If peanuts, soy nuts, tree nuts or seeds are served as the meat/meat alternate at lunch or supper, the site must serve a second meat or meat alternate.
  - Sites may use 100% fruit or vegetable juices to satisfy the entire vegetable or fruit component at lunch and supper.
- At lunch and supper, the CACFP Meal Pattern requires one fruit and one vegetables to be served. A combination of vegetable, vegetable is allowable. A mixture of fruits or vegetables, such as fruit cocktail or mixed peas and carrots, counts only as one component.
- Breast milk may be served in place of fluid cow or goat’s milk for all children, regardless of age, without a Special Diet Statement.
  - The minimum portion of breast milk must be offered to meet the fluid milk meal pattern requirements for the meal.
  - If the minimum portion of breast milk cannot be offered to meet the entire fluid milk meal pattern requirement, the difference must be made up by another variety of fluid milk or an approved milk substitute.
## CHART 1. Child Meal Patterns

### Breakfast
(Select all three components for a reimbursable meal)

<table>
<thead>
<tr>
<th>Food Components and Food Items</th>
<th>Ages 1-2</th>
<th>Ages 3-5</th>
<th>Ages 6-12</th>
<th>Ages 13-18 (At-risk afterschool programs and emergency shelters)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fluid Milk</td>
<td>4 ounces</td>
<td>6 ounces</td>
<td>8 ounces</td>
<td>8 ounces</td>
</tr>
<tr>
<td>Vegetables, fruits, or portions of both</td>
<td>¼ cup</td>
<td>½ cup</td>
<td>½ cup</td>
<td>½ cup</td>
</tr>
<tr>
<td><strong>Grains</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whole grain-rich or enriched bread</td>
<td>½ slice</td>
<td>½ slice</td>
<td>1 slice</td>
<td>1 slice</td>
</tr>
<tr>
<td>Whole grain-rich or enriched bread product, such as biscuit, roll or muffin</td>
<td>½ serving</td>
<td>½ serving</td>
<td>1 serving</td>
<td>1 serving</td>
</tr>
<tr>
<td>Whole grain-rich, enriched or fortified cooked</td>
<td>¼ cup</td>
<td>¼ cup</td>
<td>½ cup</td>
<td>½ cup</td>
</tr>
<tr>
<td>Whole grain-rich, enriched or fortified ready-to-eat breakfast cereal (dry, cold)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flakes or rounds</td>
<td>½ cup</td>
<td>½ cup</td>
<td>1 cup</td>
<td>1 cup</td>
</tr>
<tr>
<td>Puffed cereal</td>
<td>¼ cup</td>
<td>¼ cup</td>
<td>1 ¼ cup</td>
<td>1 ¼ cup</td>
</tr>
<tr>
<td>Granola</td>
<td>⅛ cup</td>
<td>⅛ cup</td>
<td>¼ cup</td>
<td>¼ cup</td>
</tr>
<tr>
<td><strong>Grains substituted with a meat/meat alternate</strong></td>
<td>½ ounce</td>
<td>½ ounce</td>
<td>1 ounce</td>
<td>1 ounce</td>
</tr>
</tbody>
</table>
  (May be used to meet the entire grain requirement a maximum of three times per week.)

### Lunch and Supper
(Select all five components for a reimbursable meal)

<table>
<thead>
<tr>
<th>Food Components and Food Items</th>
<th>Ages 1-2</th>
<th>Ages 3-5</th>
<th>Ages 6-12</th>
<th>Ages 13-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fluid Milk</td>
<td>4 ounces</td>
<td>6 ounces</td>
<td>8 ounces</td>
<td>8 ounces</td>
</tr>
<tr>
<td><strong>Meat/meat alternates</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lean meat, poultry, or fish</td>
<td>1 ounce</td>
<td>1 ½ ounce</td>
<td>2 ounces</td>
<td>2 ounces</td>
</tr>
<tr>
<td>Tofu, soy product, or alternate protein</td>
<td>1 ounce</td>
<td>1 ½ ounce</td>
<td>2 ounces</td>
<td>2 ounces</td>
</tr>
<tr>
<td>Cheese</td>
<td>1 ounce</td>
<td>1 ½ ounce</td>
<td>2 ounces</td>
<td>2 ounces</td>
</tr>
<tr>
<td>Large egg</td>
<td>½</td>
<td>¼</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Cooked dry beans or peas</td>
<td>¼ cup</td>
<td>½ cup</td>
<td>½ cup</td>
<td>½ cup</td>
</tr>
<tr>
<td>Peanut/soy/nut or seed butters</td>
<td>2 TBSP</td>
<td>3 TBSP</td>
<td>4TBSP</td>
<td>4 TBSP</td>
</tr>
<tr>
<td>Yogurt, plain or flavored unsweetened or sweetened</td>
<td>4 ounces/½ cup</td>
<td>6 ounces/¼ cup</td>
<td>8 ounces/1 cup</td>
<td>8 ounces/1 cup</td>
</tr>
</tbody>
</table>
The following may be used to meet no more than 50% of the requirement:
- Peanuts, soy nuts, tree nuts, or seeds as listed in program guidance, or an equivalent quantity of any combination of the above meat/meat alternates
- ½ ounce = 50%
- ¾ ounce = 50%
- 1 ounce = 50%
- 1 ounce = 50%

### Vegetables
- ¼ cup
- ¼ cup
- ½ cup
- ½ cup

### Fruits
- ¼ cup
- ¼ cup
- ¼ cup
- ¼ cup

### Grains
- Whole grain-rich or enriched bread
  - ½ slice
  - ½ slice
- Whole grain-rich or enriched bread product, such as biscuit, roll or muffin
  - ½ serving
  - ½ serving
- Whole grain-rich, enriched or fortified cooked breakfast cereal, cereal grain and/or pasta
  - ¼ cup
  - ¼ cup

### Snack
(Select two of the five components for a reimbursable snack)

<table>
<thead>
<tr>
<th>Food Components and Food Items</th>
<th>Ages 1-2</th>
<th>Ages 3-5</th>
<th>Ages 6-12</th>
<th>Ages 13-18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fluid Milk</td>
<td>4 ounces</td>
<td>4 ounces</td>
<td>8 ounces</td>
<td>8 ounces</td>
</tr>
<tr>
<td>Meat/meat alternates</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lean meat, poultry, or fish</td>
<td>½ ounce</td>
<td>½ ounce</td>
<td>1 ounce</td>
<td>1 ounce</td>
</tr>
<tr>
<td>Tofu, soy product, or alternate protein</td>
<td>½ ounce</td>
<td>½ ounce</td>
<td>1 ounce</td>
<td>1 ounce</td>
</tr>
<tr>
<td>Cheese</td>
<td>½ ounce</td>
<td>½ ounce</td>
<td>1 ounce</td>
<td>1 ounce</td>
</tr>
<tr>
<td>Large egg</td>
<td>½</td>
<td>½</td>
<td>½</td>
<td>½</td>
</tr>
<tr>
<td>Cooked dry beans or peas</td>
<td>⅛ cup</td>
<td>⅛ cup</td>
<td>¼ cup</td>
<td>¼ cup</td>
</tr>
<tr>
<td>Peanut/soy/nut or seed butters</td>
<td>1 TBSP</td>
<td>1 TBSP</td>
<td>2 TSBP</td>
<td>2 TSBP</td>
</tr>
<tr>
<td>Yogurt, plain or flavored unsweetened or sweetened</td>
<td>2 ounces or 4 ounces</td>
<td>2 ounces or 4 ounces</td>
<td>4 ounces or 4 ounces</td>
<td></td>
</tr>
<tr>
<td>Peanuts, soy nuts, tree nuts or seeds</td>
<td>½ ounce</td>
<td>½ ounce</td>
<td>1 ounce</td>
<td>1 ounce</td>
</tr>
<tr>
<td>Vegetables</td>
<td>½ cup</td>
<td>½ cup</td>
<td>¾ cup</td>
<td>¾ cup</td>
</tr>
<tr>
<td>Fruits</td>
<td>½ cup</td>
<td>½ cup</td>
<td>¼ cup</td>
<td>¼ cup</td>
</tr>
<tr>
<td>Grains</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whole grain-rich or enriched bread</td>
<td>½ slice</td>
<td>½ slice</td>
<td>1 slice</td>
<td>1 slice</td>
</tr>
<tr>
<td>Whole grain-rich or enriched bread product, such as biscuit, roll or muffin</td>
<td>½ serving</td>
<td>½ serving</td>
<td>1 serving</td>
<td>1 serving</td>
</tr>
<tr>
<td>Whole grain-rich, enriched or fortified cooked breakfast cereal, cereal grain and/or pasta</td>
<td>¼ cup</td>
<td>¼ cup</td>
<td>½ cup</td>
<td>½ cup</td>
</tr>
<tr>
<td>Whole grain-rich, enriched or fortified ready-to-eat breakfast cereal (dry, cold)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flakes or rounds</td>
<td>½ cup</td>
<td>½ cup</td>
<td>1 cup</td>
<td>1 cup</td>
</tr>
<tr>
<td>Puffed cereal</td>
<td>¼ cup</td>
<td>¼ cup</td>
<td>1 ¼ cup</td>
<td>1 ¼ cup</td>
</tr>
<tr>
<td>Granola</td>
<td>¼ cup</td>
<td>¼ cup</td>
<td>¼ cup</td>
<td>¼ cup</td>
</tr>
</tbody>
</table>
Creditable Foods for Children Aged 1-12 year

In addition to the requirements for the types and quantities of food in a creditable meal, sites must also select foods that are creditable. Individual foods are considered creditable (OK) and non-creditable (Not OK).

Foods that are creditable may contribute to the requirements for a reimbursable meal or snack. Foods are creditable based upon the following requirements:

- The nutrient content of the food contributes to nutrition requirements for children.
- The food serves its customary function in a meal.
- The food meets the regulations governing the Child Nutrition Programs (for quantity and/or by definition).
- The food meets the Food and Drug Administration (FDA) Standards of Identity.
- The food meets USDA standards.
- The food complies with the CACFP policies regarding creditable foods.

When planning menus, refer to the Creditable Foods Guide for Child Care Centers and Family Day Care Homes on the CACFP website at www.colorado.gov/cdphe/cacfp-manuals-and-policies to make sure the foods selected are creditable.

The Child Nutrition (CN) Label

The Child Nutrition (CN) Labeling Program is a voluntary Federal labeling plan for Child Nutrition Programs, which allows manufacturers to disclose a product's contribution to the Meal Pattern requirements on product labels. Consumers may find CN labels on main dish products that contribute significantly to the meat/meat alternate or bread/bread alternate components. Examples include chicken nuggets, beef patties, pizzas, burritos, egg rolls and breaded fish portions.

A CN label will always contain the following:

- The CN logo, which has a distinct border.
- The meal pattern contribution statement.
- A 6-digit product identification number.
- USDA/FNS authorization.
- The month and year of approval.

Sample CN Label

Four 0.63 oz. fully cooked, breaded chicken breast patty nuggets with rib meat provide 1.25 oz. equivalent meat and 0.75 serving of bread alternate for Child Nutrition Meal Pattern Requirements (Use of this logo and statement authorized by the Food and Nutrition Service, USDA 07/01).

Based upon the information provided on the CN label, the participating site must determine the quantity of food to prepare and serve to each child to meet the CACFP Meal Pattern requirements.
If a commercial product containing meat or meat alternates does not bear a CN label, the institution must obtain information from the manufacturer specifying the ounces of creditable meat or meat alternate in a measurable serving of the product. This information must be used to determine if the quantity of the product needed for each child to meet the minimum CACFP Meal Pattern requirements is a reasonable portion size for young children. The institution must keep all product specifications on file for review purposes. If the institution contracts with a food service vendor to provide meals, the institution must request and maintain copies of this documentation.

The CACFP regulations define additional requirements for alternate protein products used alone or in combination with a creditable meat/meat alternate. The institution must maintain sufficient documentation, which verifies the product’s compliance with these requirements. Contact the CACFP office for more information regarding these requirements at 303-692-2330.

**Meal Pattern Requirements for Infants (Birth through 11 months)**
The CACFP requires sites that care for infants under the age of 12 months to serve CACFP meals to the infants and claim infant meals for reimbursement. The CACFP Infant Meal Pattern reflects the minimum requirements with regard to types of foods and quantities of foods for infant meals according to age and development. The meal requirements are significantly different for each age group. These age groups are:

- 0 through 5 months.
- 6 through 11 months.

The CACFP Infant Meal Pattern is flexible to allow sites to offer food to infants only when they are developmentally ready to accept them. Sites should continue to work with parents and health care providers in meal planning for infants. The requirements for each age group of infants are as follows:

**Age 0-5 Months**
The CACFP Infant Meal Pattern requires only breast milk or iron-fortified infant formula at meals and snacks for infants through 5 months old. Site staff may offer less than the minimum required amount of breast milk to infants who regularly consume smaller portions of breast milk. However, staff must offer additional breast milk if the infant is still hungry.

**Age 6-11 Months**
At a minimum, the CACFP Infant Meal Pattern requires breast milk or iron fortified infant formula at meals and snacks for infants age 6 through 11 months. At some point during this period of development, parents generally begin to offer infants additional foods such as iron-fortified infant cereal, fruits and vegetables. Once the infant is developmentally ready to accept these additional foods, the CACFP requires sites to offer these foods to the infant.
CHART 2. Infant Meal Patterns

Infant Meal Patterns

Infants should be fed on demand and should not be restricted to a rigid feeding schedule. You may find that some infants need to be fed every 2 hours and will receive 5-6 meals while in care.

<table>
<thead>
<tr>
<th></th>
<th>Birth through 5 months</th>
<th>6 through 11 months</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Breakfast</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Breast milk¹ or</td>
<td>4-6 fl oz</td>
<td>6-8 fl oz</td>
</tr>
<tr>
<td>Iron-Fortified Infant Formula (IFIF)²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iron-Fortified Infant Cereal (IFIC)²</td>
<td></td>
<td>0-4 tbsp</td>
</tr>
<tr>
<td>Meat, fish, poultry, whole eggs, cooked dried beans or peas³</td>
<td>0-4 tbsp</td>
<td>0-2 oz cheese</td>
</tr>
<tr>
<td>Cheese⁵ or cottage cheese or yogurt⁴</td>
<td>0-4 oz cottage cheese</td>
<td>0-4 oz or ½ cup yogurt</td>
</tr>
<tr>
<td>Fruit and/ or Vegetable—appropriate consistency⁵,⁶</td>
<td></td>
<td>0-2 tbsp</td>
</tr>
<tr>
<td><strong>Lunch/ Supper</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Breast milk¹ or</td>
<td>4-6 fl oz</td>
<td>6-8 fl oz</td>
</tr>
<tr>
<td>Iron-Fortified Infant Formula (IFIF)²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iron-Fortified Infant Cereal (IFIC)²</td>
<td></td>
<td>0-4 tbsp</td>
</tr>
<tr>
<td>Meat, fish, poultry, whole eggs, cooked dried beans or peas³</td>
<td>0-4 tbsp</td>
<td>0-2 oz cheese</td>
</tr>
<tr>
<td>Cheese⁵ or cottage cheese or yogurt⁴</td>
<td>0-4 oz cottage cheese</td>
<td>0-4 oz or ½ cup yogurt</td>
</tr>
<tr>
<td>Fruit and/ or Vegetable—appropriate consistency⁵,⁶</td>
<td></td>
<td>0-2 tbsp</td>
</tr>
<tr>
<td><strong>Snack</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Breast milk¹ or</td>
<td>4-6 fl oz</td>
<td>2-4 fl oz</td>
</tr>
<tr>
<td>Iron-Fortified Infant Formula (IFIF)²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iron-Fortified Infant Cereal (IFIC)²</td>
<td></td>
<td>0-4 tbsp</td>
</tr>
<tr>
<td>Meat, fish, poultry, whole eggs, cooked dried beans or peas³</td>
<td>0-4 tbsp</td>
<td>0-1/2 slice</td>
</tr>
<tr>
<td>Cheese⁵ or cottage cheese or yogurt⁴</td>
<td>0-4 oz cottage cheese</td>
<td>0-4 oz or ½ cup yogurt</td>
</tr>
<tr>
<td>Fruit and/ or Vegetable—appropriate consistency⁵,⁶</td>
<td></td>
<td>0-2 tbsp</td>
</tr>
</tbody>
</table>

1. Breast milk or IFIF or portions of both must be served; however, it is recommended that breast milk be served in place of formula from birth through 11 months. For some breastfed infants who regularly consume less than the minimum per feeding, a serving of less than the minimum may be offered with additional breast milk offered later if the infant will consume more.
2. Infant formula and infant cereal must be iron-fortified
3. Beginning October 1, 2019, ounce equivalents are used to determine the quantity of creditable grains
4. Yogurt must contain no more than 23 grams of total sugars per 6 oz serving
5. A serving of this component is required only when the infant is developmentally ready to accept it.
6. Fruit and/ or Vegetable juice must not be served
7. Grains must be whole-grain rich, enriched meal, or enriched flour
8. Ready-to-eat breakfast cereal must contain no more than 6 grams of sugar per dry ounce (or 21.2 grams per 100g)
Creditable Foods for Infants (Birth through 11 months)
In addition to the requirements for the types and quantities of food for infants, sites must also select foods for infants that are creditable. Individual foods and formulas are considered creditable and non-creditable. Meals that contain only creditable foods, in appropriate quantities, are eligible for reimbursement.

Infant formula is defined as any iron-fortified infant formula intended for dietary use as a sole source of food for normal, healthy infants, served in liquid state at the manufacturer’s recommended dilution. Low-iron formula is not creditable because it does not contain enough iron to meet the definition of iron-fortified infant formula. Only breast milk or iron-fortified infant formula may be served as part of a reimbursable meal for infants from birth through 11 months of age. Whole milk is not appropriate for infants under the age of 12 months; therefore, it is not creditable.

Determining if Infant Formula is Creditable
Staff members may use the following guidelines to determine whether a formula is creditable without the need of a Special Diet Statement:

- Ensure the formula is not listed as an FDA Exempt Infant Formula. The FDA defines an exempt infant formula as “…an infant formula labeled for use by infants who have inborn errors of metabolism or low birth weight, or who otherwise have unusual medical or dietary problems.” Participating sites must obtain special diet statements for infants who consume exempt infant formulas. Below is the link to FDA Exempt Infant Formulas http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/InfantFormula/ucm106456.htm

- Examine the nutrition label to ensure the formula is iron-fortified. Products labeled as iron-fortified infant formulas legally must meet the FDA definition of iron-fortified, which contain 1 milligram or more of iron in a quantity of product that supplies 100 kilocalories when prepared in accordance with label directions for infant consumption. The number of milligrams of iron per 100 kilocalories of formula is printed on the nutrition label.

Formulas purchased outside of the US are likely not regulated by FDA; therefore, they may not be creditable.

Infant cereal is defined as any iron-fortified dry cereal specially formulated for and generally recognized as cereal for infants that is routinely mixed with water, formula or breast milk prior to consumption.

Many foods that are creditable for children over the age of one year are not creditable for infants under the age of 12 months. These foods are not creditable because they are choking hazards for infants, and/or do not provide the nutrition infants need for growth and development. Refer to the Infant Feeding section of the Creditable Foods Guide for Child Care Centers & Family Day Care Homes on the
CACFP website at www.colorado.gov/cdphe/cacfp-manuals-and-policies for a full list of creditable foods for infants.

**Foods Provided by Parents or Families of Children in Care**

**For children over the age of 12 months**

The site must provide all the components of the meal to receive reimbursement funds for the meal. For children who follow special diets, the site must also purchase and provide the substitute food items indicated on the Special Diet Form and completed by a recognized medical authority. Refer to *Exceptions to the Meal Pattern* in this section for more information on special diets requirements.

**For infants under the age of 12 months**

The CACFP recognizes the labor costs involved in feeding infants and allows parents to remain involved in meal planning and feeding of their infants. Within the following guidelines, which vary by age and development, institutions may receive reimbursement for meals when parents provide creditable foods as part of a creditable meal.

- The CACFP requires sites to purchase and offer parents at least one creditable choice of iron-fortified infant formula. The CACFP recommends offering a soy-based formula and a milk-based formula. Parents have the option to accept an offered formula or provide their own formula for the infant. Institutions must obtain Infant Feeding Forms from the parents of all infants, which indicate the parent’s decision to either accept or decline the offering of formula. Refer to *Record Keeping for Infants Under the Age of 12 Months* in this section for more information about the Infant Feeding Form.
- For infants who consume only breast milk provided by the mother, the institution may claim meals and snacks for reimbursement.
- For infants who consume only formula, the institution may claim meals and snacks served to the infants, regardless of whether the parents or the site provides the formula.
- For infants who consume foods in addition to formula or breast milk, such as iron-fortified infant cereal, fruits or vegetables, the participating site must provide all but one of the food components of the creditable meal or snack to claim it for reimbursement. Foods provided by the parent must be creditable and the entire meal or snack must meet the CACFP Meal Pattern requirements.

**Exceptions to the Meal Pattern**

The CACFP regulations require institutions to offer Program meals that meet the CACFP Meal Pattern requirements to all children in care. Exceptions to the CACFP Meal Pattern may be necessary due to medical issues, developmental disabilities, religious or ethnic preferences, or economic situations. This section describes the requirements for these various exceptions.

**Developmental Disabilities**

Federal regulations require sites to make substitutions to the CACFP Meal Pattern for children who are developmentally disabled (handicapped) and whose disability restricts their diet. CACFP regulations require sites to offer Program meals to children
who are developmentally disabled whenever Program meals are offered to the general populations served at the site.

A Handicapped person is defined in 7 CFR 15b.3(i) as any person who has "...a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment." (Exhibit A, 7 CFR 15b.3).

Major life activities are defined in 7 CFR 15b.3(k) as "...functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working."

The Americans with Disabilities Act Amendments Act of 2008 (ADAAA), amended the Federal definition of disability, broadening it to cover additional children and individuals who might be identified by their licensed physician as having a food-related disability. Therefore, for the purposes of identifying individuals with disabilities, the ADAAA added a new category called Major Bodily Functions. Major Bodily Functions refers to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine and reproductive functions.

A licensed physician or licensed doctor of osteopathy (MD or DO), dentist (DMD, DDS), physician assistant (PA) or advanced practice nurse (APN) must determine whether a child has a disability that restricts his/her diet. The physician must complete a written statement of the child's disability, based upon the regulatory criteria for handicapped person as defined in 7 CFR Part 15b.3(i), and state that the disability restricts the child's diet. An institution representative should contact the CACFP office if they are unclear whether the medical statement meets the regulatory criteria.

For medical statements, the CACFP recommends that institutions provide the CACFP form, which is specific to disabilities for the physician to sign; however, alternate forms which present the same information are acceptable. Once the institution receives the statement signed by a licensed physician, the institution must follow the instructions on the statement. The medical statement must identify:

- The child’s disability and an explanation of how the disability restricts the child’s diet.
- The major life activity affected by the disability.
- The food(s) to omit from the child’s diet and the recommended substitute food(s).

If the disability requires modifications to calorie intake or the use of a liquid nutritive formula, the physician must indicate this information in the statement. A medical statement is recommended for texture-modified diets which does not modify the required food components of the Meal Pattern.
In addition to dietary modifications, sites must provide food services to disabled children in the most integrated setting possible and ensure that they participate with all other children present to the maximum extent appropriate to their needs.

CACFP regulations do not require sites to make substitutions for children whose conditions do not meet the definition of handicapped person as set forth in 7 CFR 15b.3(i). In most cases, the staff member can manage special dietary needs of non-handicapped children within the normal meal service when varieties of nutritious foods are offered to the children.

Generally, children who have food allergies, intolerances, or are overweight are not handicapped persons as defined in 7 CFR 15b.3(i). Sites are not required to make substitutions for them. However, for specific situations, the site must make all substitutions prescribed by a physician if, according to the physician’s assessment:

- The food allergies may result in severe, life threatening reactions (anaphylactic reactions).
- The overweight condition is severe enough to substantially limit a major life activity.

In these cases, the child is considered a handicapped person by definition and the participating site must offer the substitutions prescribed. Contact the CACFP staff at 303-692-2330 if questions arise regarding this requirement.

**Exceptions to the Meal Pattern for Medical Needs Not Related to Disability**

At their discretion, staff members may make substitutions for children who are not handicapped persons as defined in 7 CFR 15b.3(i) but who are unable to consume a food item because of medical or other special dietary needs. If the site is able to provide a creditable substitute for the food item, within the CACFP Meal Pattern requirements, the meal is eligible for CACFP reimbursement. The CACFP requires sites to purchase and provide the recommended substitute food(s) as part of creditable meals and snacks to receive reimbursement. If the recommended substitute is difficult to obtain or presents a financial hardship, an institution representative may contact the CACFP office to request a waiver to allow the child’s parent/guardian to provide the substitute.

**Milk Substitutes**

In the case of children and adults who cannot consume fluid milk due to medical or other special dietary needs, other than a disability, a fluid milk substitute may be served in lieu of fluid milk. If the milk substitute is dairy based, the substitute must be pasteurized, follow the same fat requirements as cow or goat’s milk, and meet the nutrition standards outlined below. The CACFP requires the fluid milk substitute to be nutritionally equivalent to milk and meet the following nutritional standards as outlines in the National School Lunch Program (NSLP).
These nutritional standards per cup of milk are as follows:

<table>
<thead>
<tr>
<th>NUTRIENT</th>
<th>USDA REQUIREMENT PER CUP</th>
<th>DAILY %</th>
</tr>
</thead>
<tbody>
<tr>
<td>CALCIUM</td>
<td>276 mg</td>
<td>28%</td>
</tr>
<tr>
<td>PROTEIN</td>
<td>8 g</td>
<td>16%</td>
</tr>
<tr>
<td>VITAMIN A</td>
<td>500 IU</td>
<td>10%</td>
</tr>
<tr>
<td>VITAMIN D</td>
<td>100 IU</td>
<td>25%</td>
</tr>
<tr>
<td>MAGNESIUM</td>
<td>24 mg</td>
<td>6%</td>
</tr>
<tr>
<td>PHOSPHORUS</td>
<td>222 mg</td>
<td>22%</td>
</tr>
<tr>
<td>POTASSIUM</td>
<td>349 mg</td>
<td>10%</td>
</tr>
<tr>
<td>RIBOFLAVIN</td>
<td>0.44 mg</td>
<td>26%</td>
</tr>
<tr>
<td>VITAMIN B-12</td>
<td>1.1 mcg</td>
<td>18%</td>
</tr>
</tbody>
</table>

Milk substitutions are at the option and the expense of the facility. If the parent/guardian submits a written request using the Milk Substitute Request Form for a creditable milk substitute and chooses to provide the substitute, the institution may serve the requested substitute and claim reimbursement. If the parent/guardian submits a written request for a creditable milk substitute and chooses not to provide the substitute, the caregiver has the option to supply the milk substitute and claim reimbursement or to not supply the milk substitute and decline reimbursement. Milk substitutes that do not meet the above nutrient requirements are not creditable for meal reimbursement. Contact product manufacturers to obtain accurate nutritional information. In addition, a list of identified creditable milk substitutes is available on the CACFP website.

If the substitute food item is not creditable, such as almond or rice milk, the site must obtain a special diet statement signed by a recognized medical authority that supports the need for the substitute. In these cases, recognized medical authorities include physicians, physician assistants, advanced nurse practitioners, or dentist. The CACFP recommends use of the CACFP form for special diets for the medical authority to sign; however, alternate forms that present the same information are acceptable. Special diet statements for children over the age of one year must be updated annually. For infants under the age of 12 months, the Special Diet Statement must be updated every six months. The supporting statement must include:

- An identification of medical or other special dietary needs that restricts the participant’s diet.
- The food or foods to be omitted from the participant’s diet.
- The recommended substitute food(s).

The CACFP reimburses institutions for meals that contain authorized food substitutes at the same reimbursement rate as meals that meet the CACFP Meal Pattern requirements. The institutions must not charge separately for the substituted food(s).
either to a child with developmental disabilities or a child with other special dietary needs.

Staff members should work closely with parents or other responsible family members and all other medical and community personnel who are responsible for the health, well-being and education of the children with developmental disabilities or with other special dietary needs to ensure reasonable accommodations to allow their participation in the meal service. This cooperation is particularly important when accommodating children whose developmental disabilities require significant modifications or personal assistance.

Exceptions to Meal Pattern for Other Special Dietary Needs or Situations
The CACFP may approve modifications to the Meal Pattern, on an experimental or continuing basis, when evidence exists that such variations are nutritionally sound and necessary to meet ethnic, religious, economic or physical needs. Institutions must contact the CACFP for approval.

In the event of a disaster, the CACFP may temporarily allow institutions to claim meals for reimbursement that do not meet the CACFP Meal Pattern requirements.

When a parent asks staff members not to serve a food that is a required meal component, as specified in the CACFP Meal Pattern, the institution cannot claim the meal for reimbursement. If the participating site provides an appropriate creditable substitution that meets the CACFP Meal Pattern, the institution may claim the meal. Substitutions need to be documented in licensed child care facilities. However, a staff member must record the substitute food on the Menu and/or the Production Record for that meal.

Meal Service Requirements
Sites may serve children using family style meal service or unitized meal service (pre-plated). Sites must follow specific requirements established by the CACFP for each style of meal service to meet CACFP requirements.

Meeting CACFP Requirements Using Family Style Meal Service
Many sites choose to serve meals family style in which staff members serve the food and milk in bowls and pitchers on the table and the children pass the food during the meal and serve themselves. This style of meal service provides many benefits for the children, including skill building, socialization and prevention of childhood obesity. In most cases, family style meal service can reduce the amount of food waste and facilitate a more relaxed, positive meal service.

Sites choosing to serve meals family style must meet the following requirements during the meal service:
- At least the minimum required quantity of food and milk must be in pitchers or bowls on the table at the beginning of the meal service for all children seated at the table.
• For the service of milk, cups must be sufficient in size by age that it easily holds at least the minimum required quantity of milk according to the CACFP Meal Pattern.

• Once all food is available on the table, children and adults must be allowed to serve the food components themselves, with the exception of fluids (such as milk and juice). Children and adults may choose what and how much of the components to serve themselves.

• Institutions may claim meals for those children who are seated at the table and participating in the meal service.

• Water must not be offered in lieu of milk during the breakfast, lunch or supper meal service; sites may serve water at snack with two other creditable components.

Meeting CACFP Requirements Using Unitized (Pre-Plated) Meal Service
Sites who choose the unitized or pre-plated method of meal service must meet the following requirements:

• Staff members must serve at least the minimum required quantity of food and milk components on each child’s plate and in each child’s cup at the beginning of the meal service.

• For the service of milk, cups must be sufficient in size by age that easily holds at least the minimum required quantity of milk according to the CACFP Meal Pattern.

• Once food and milk are served to the children, the children may choose what and how much to eat or drink.

• Institutions may claim meals for children who were offered a creditable meal and participated in the meal service.

• Water must not be offered in lieu of milk during the breakfast, lunch or supper meal service. Sites may serve water at snack with two other creditable components.

Timing of Meals
Institutions may receive CACFP reimbursement only for meals approved by the CACFP that are served within approved meal times. Sites may serve food at any time during the day; however, institutions may only claim meals served within approved time periods. The online application, CHEARS, reflects its approved meal types and times, for each site. At a minimum, the CACFP requires sites to begin the service of breakfasts, lunches, snacks and suppers within the following time ranges:

- Breakfast: 6 a.m. to 9:30 a.m.
- Lunch: 11 a.m. to 1:30 p.m.
- Supper: 5 p.m. to 7:30 p.m.

Approved time ranges may not exceed a two-hour period for breakfast, lunch or supper. For snacks, time ranges may not exceed a one-hour period. Sites providing care for groups of children that arrive at different times during the day, such as
school-age children, may establish separate time ranges for different groups that do not exceed a total of one hour. For example, the approved time range for snacks for younger children may be from 2 p.m. to 2:30 p.m. For school age children that arrive later, the approved snack time may be 3 p.m. to 3:30 p.m.

If special situations arise where the site must serve meals outside of the approved meal schedule, an institution representative must describe the schedule in the CHEARS site application. This schedule will be subject to approval by a CACFP Nutrition Consultant.

The CACFP does not require staff members to offer meals and snacks to infants at the same time as other children. The CACFP allows flexibility in the schedules for infants according to demand or frequent eating patterns. For infants, the site must provide all required food components to receive reimbursement for infant meals; however, staff members may serve the infants within a span of time consistent with the infants’ eating habits.

Staff members must allow the children adequate time to consume meals and snacks, which is approximately 30 minutes for meals and 20 minutes for snack.

For meals and snacks claimed for reimbursement, the CACFP also requires a span of at least two hours between the beginning of one meal or snack service and the beginning of the next meal or snack service. A span of at least 1½ hours must elapse from the end of one meal or snack service and the beginning of the next meal or snack service. If no snack is served, at least four hours must elapse between the beginning of the lunch service and the beginning of the supper service.

**Meals Served Off-Site**

Institutions may receive CACFP reimbursement only for meals served to enrolled children who are present and participating in the CACFP during the meal service. Meals packed at the site and eaten at another location (such as a field trip) while under the supervision of site personnel are eligible for reimbursement.

Institutions may not claim meals or snacks for reimbursement that are packed at the site and sent with a child to eat at another location without the supervision of site personnel. Institutions may not claim meals eaten at restaurants, which are not considered child care settings.

**Food Service Record Keeping Requirements**

**Menus for Children and Infants**

The CACFP requires all institutions to maintain daily menus for all meals and snacks claimed for reimbursement. The CDHS-Division of Child Care: *Rules Regulating Child Care Centers 7.702.65*, requires licensed child care facilities to plan menus at least one week in advance and post menus in a place visible to parents.
Pre-planned menus for each meal and/or snack served to children age 12 months or older must meet the CACFP Meal Pattern Requirements. For infants under the age of 12 months, menus must meet the CACFP Infant Meal Pattern Requirements. Institutions may not claim meals for reimbursement that do not meet the CACFP Meal Pattern Requirements.

**Production Records for Children Age 12 Months and Older**

Institutions must maintain daily records indicating the number of meals, by type, served to adults performing labor necessary to the food service. Institutions may choose how to document this information daily. Institutions should enter the meals on the ROMS to track all meals served; however, the adult meals are not eligible for reimbursement. Institutions may only claim meals served to participants enrolled in care.

Institutions can choose to maintain daily production records for all meals and snacks claimed for children age 12 months and older (infant production records are discussed in detail later in this section). Institutions that choose not to use production records must continue to maintain copies of menus, Records of Meals Served (ROMS), receipts for purchases of food and milk, and all other CACFP required records.

Forms are available from the CACFP website for each age group (age 1-2, age 3-5 and age 6-12 and 13 -18). If the site’s largest age group is preschool children (age 3-5) with smaller groups of toddlers and school age children, use of the Production Record Form for children age 3-5, is appropriate. If the majority of the children are 1-2 years old, or above the age of six, use of the Production Record form specific to that age group is best.

Food service staff generally complete production records in advance and use them as a planning tool and shopping list. Prior to the meal service, the production records are a plan of the estimated number of children and adults participating in the meal service. The estimated quantities of food needed to prepare the meal (the *Simplified Food Buying Guide Book* and/or the Online Food Buying Guide Calculator at [http://fbg.nfsmi.org](http://fbg.nfsmi.org)) is used to determine adequate quantities of food. When the meal service occurs, food service staff members make any adjustments to the original plan, such as a change in the number of children served or a food substitution, at that time. The records must reflect the food items and quantities of food actually prepared and served at each meal or snack.

Menus for meals and snacks claimed for children age 12 months and older must include the following information:

- The date (month, day and year) of the meal or snack service.
- The menu planned for the meal or snack.
- If maintaining Production Records for children age 12 months and older it is recommended to include a list of ingredients used to meet meal or snack requirements. The CACFP does not require documentation of items that do not contribute to the CACFP Meal Pattern requirements, such as potato chips,
ketchup, pickles, cream of mushroom soup, etc. For example, the ingredients of beef pot pie that would contribute to a creditable lunch or supper include:

- Stew beef, which would meet the meat/meat alternate requirement.
- Potatoes and carrots in the pie, which would meet the requirement of one fruit or vegetable component.
- Pie crust that meet part or the full bread/bread alternate requirement.

- The quantity of each ingredient or food item used to meet the CACFP Meal Pattern Requirements. Report food quantities in measurable units, such as pounds, ounces, gallons, quarts, cups, size of can, or number of items. For example: Stew beef, 10 lbs, Carrots, #10 can, etc. Use the Simplified Food Buying Guide Book and/or the Online Food Buying Guide Calculator to determine the amount of food to prepare.
- The number of children served at each meal or snack.
- The number of adults served at each meal or snack. If the adults generally consume adult-size portions, multiply the number of adults by two (if using the production record for children ages 3-5). An adult-size portion is approximately twice the amount of a portion for children age 3-5 years. Institutions may not claim meals served to adult staff members for reimbursement. However, production records must reflect the number of adult servings prepared and plan adequate quantities of food for the adults and the children eating the meal.
- The production records must verify that adequate quantities of all required meal components were served to the children to meet at least the minimum requirements as shown on the CACFP Meal Pattern.

Cycle Menus and Production Records
Many sites use cycle menus if the number of children served each day is usually constant. Cycle menus are planned for several weeks (generally four or six weeks) and used repeatedly.

Sites that use cycle menus may also use cycle production records. For each meal in the cycle menu, the site also develops a production record. Each time the menu is served during the cycle, food service staff can refer to the production record for that menu and prepare the meal according to the plan. For cycle menus, daily documentation of the production information is recorded on the back of the production record for that meal. The documentation on the back of each production record must include the date, the number of children actually served, and any changes or adjustments to the original plan such as quantity of food prepared and/or menu substitutions.

Menu and Production Record Requirements for Contract Food Service
If the site contracts for meals with an external food service management company or vendor, the company must maintain and provide appropriate menus and production records for each meal delivered to the site. The institution must maintain production records on file for review by the CACFP.
Record Keeping for Infants Under the Age of 12 Months
For infants under the age of 12 months, the CACFP requires institutions to maintain the following records:

- Individual infant menus and production records for each infant meal and snack claimed for reimbursement.
- ROMS.
- Infant Feeding Forms.

Infant Menus and Production Records
Institutions must complete daily infant menus and production records for each meal and snack claimed for reimbursement that is served to infants under the age of 12 months. The CACFP provides forms for these records on its website. Sites may develop alternate forms for this purpose, but must obtain approval from the CACFP office. The Infant Menu and Production Record must reflect the following information:

- The name of the infant.
- The brand of formula or an indication that the infant receives breast milk.
- The date (month, day and year) the menu is served.
- A record of the food items served at the meal or snack.
- A record of the quantity of each food item and formula or breast milk offered to each infant. Generally, quantities are reported in tablespoons or ounces. Records should report quantities of food items offered to the infant, not quantities consumed by the infant.
- A signature of the staff person who served the majority of the meals during the week.

The Infant Production Records must verify that adequate quantities of all required meal components were served to each infant to meet at least the minimum requirements as shown on the CACFP Infant Meal Pattern.

Infant Records of Meals Served (ROMS)
The CACFP requires sites to record ROMS for all enrolled children, including infants. Institutions must maintain these records for review purposes. Refer to Section 2: Administrative Record Keeping Requirements for detailed information about the ROMS.

Infant Feeding Form
Sites that care for infants must distribute and maintain the Infant Feeding Form provided by the CACFP to parents/guardians of each infant enrolled (except for breastfed infants). This form must reflect the name of the formula(s) offered by the site. Institutions must offer parents/guardians of infants enrolled the option of one milk-based, iron-fortified infant formula (IFIF) and it is a recommendation the institution offer one soy-based IFIF.
Record Retention Requirements
The CACFP requires all institutions to retain all CACFP records, including records pertaining to the food service operations, for three years and four months past the end of the current fiscal year. Records prior to the current fiscal year may be stored off site; however, they must be accessible for review.
SECTION 4 - The Reimbursement Process

Introduction
The CACFP provides reimbursement for meals served to enrolled children in care at participating sites. The reimbursement amount is based upon rates for meal type (breakfast, lunch, supper and snack) and income eligibility category (Free, Reduced or Paid). The USDA adjusts reimbursement rates annually in July of each year to reflect changes in the Federal Poverty Guidelines and the Consumer Price Index (CPI) for the cost of food. In July, the CACFP emails all institutions the adjusted reimbursement rates and Household Income Eligibility Guidelines and also posts the revised rates and guidelines on the CACFP website.

Institutions must follow specific guidelines when claiming meals for reimbursement. Institutions must:

- Claim meals only for children who are enrolled for care at the site.
- Claim no more than three meals or snacks per child, per day (two meals and one snack or two snacks and one meal).
- Claim meals only for children who participate in the meal service.
- Claim meals that meet the CACFP Meal Pattern requirements.
- Claim meals when all food components are provided by the site for children over the age of 12 months.
- Claim reimbursement only for a total number of meals that does not exceed the licensed child care site’s authorized capacity at any one time. It is the responsibility of the institution to control enrollment to eliminate any chance of exceeding capacity. There may be occasions beyond immediate control when slight violations occur for a short time (late parents, bad weather, etc.), but regular attendance in excess of license capacity will be judged intentional and over-claims made accordingly.
- Claim meals that are approved by the CACFP office. CACFP regulations allow institutions to receive reimbursement only for meal types that are approved by the CACFP and specified in the agreement. An institution representative must modify the Online Site Application to change, delete or add meals for claiming. This change will be subject to approval by a Nutrition Consultant.

The Reimbursement Process
Institutions submit monthly claims online using CHEARS, the CACFP application and reimbursement system. Institutions must enter claim information in CHEARS for each participating site. CHEARS then compiles the claim information for all sites for which a claim exists into one aggregate claim for the institution. The CACFP issues one payment to the institution for funds earned by all sites.

Institutions may submit a claim for reimbursement as early as the first day of the month following the claim month. Institutions must submit original claims in CHEARS within 60 calendar days of the last day of the claim month and revised claims within 90 calendar days of the last day of the claim month.
Federal regulations require the CACFP to reimburse participating institutions within 45 days of the date an institution submits a valid and error-free claim for reimbursement in CHEARS. Generally, institutions will receive payment before the 45-day deadline. However, circumstances beyond the control of the CACFP may delay payment of a claim up to the 45-day deadline.

Institutions can view the status of a submitted claim any time using CHEARS. Questions about a claim should be directed to CACFP fiscal support at 303-692-2595.

Information Reported on the Online Claim for Reimbursement
Each month, the institution enters attendance and meal count information for each site into CHEARS. Claiming fields will populate based on the site type(s) specified in the site application.

The following describes the information reported on the online claim:

Attendance Reporting
The questions in the attendance reporting section of the claim apply to all sites.

Number of Days Meals provided During Claim Period
List the number of days during the month that the site was open, serving meals and claiming meals for reimbursement.

Total Attendance
Obtain total attendance from the ROMS form, from the box furthest to the right, in the row of boxes along the top of the ROMS form. The total of figures in this box on all ROMS forms for the month is the total attendance to report on the claim. These boxes contain the number of participants who ate at least one meal or snack during that particular day. Refer to Section 2: Administrative Record Keeping Requirements for more information about these boxes.

Total Enrollment
The number of participants enrolled at the site during the month, regardless of whether the participant is eligible for the CACFP.

Number of CACFP (Title XX) Participants (for-profit child care institutions only)
List the number of participants who are beneficiaries of CCAP (Title XX) funding and in attendance at least once during the claim month.

- Refer to the Department of Human Services Attendance Record and Billing Form from each county for the claim month to obtain this figure.

Average Daily Attendance
CHEARS will calculate the average daily attendance.
License Capacity (CDHS-Division of Child Care licensed sites only)
CHEARS will automatically display the license capacity of the site based upon information in the Site Application.

Eligibility
The questions in the eligibility section apply to all CACFP sites except for sites only operating at-risk afterschool programs.

Number of Free, Reduced and Paid Participants
The number of enrolled participants who qualify for Free and Reduced meals and the number of Paid participants. Indicate these values in the appropriate boxes.

Total Eligibility
The system will total the number of Free, Reduced and Paid participants and display the total number of eligible participants in this box.

For-profit Eligibility (For-profit child care sites only)
CHEARS will display information in this section only if the institution is for-profit.

CCAP (Title XX) Eligibility and Free/Reduced Eligibility
CHEARS will calculate the percentage of enrolled participants that are beneficiaries of CCAP (Title XX) funding and the percentage of enrolled participants that are eligible for Free and Reduced meals.

Meals/Snacks Served
The values are the total numbers of breakfasts, lunches, snacks and suppers by income eligibility category obtained from the ROMS.

At-risk Afterschool Meal and/or Snack
The questions in this section will appear only on site claims for at-risk afterschool programs.

At-risk afterschool centers must report the total number of at-risk afterschool snacks and/or the total number of at-risk afterschool meals served to eligible participants based on:

At-risk Total Attendance
The total number of at-risk children attending throughout the month (each child counted once).

Number of Days Meals and/or Snacks Provided During the Claim Period
List the number of days during the month that the site was open, serving meals and/or snacks, and claiming meals and/or snacks for reimbursement.
Number of At-risk Meals and/or Snacks Served
The total number of creditable snacks served during the claim month obtained from the ROMS.

At-risk Average Daily Meal & Snack Attendance
CHEARS will calculate and display the average daily attendance.

Claims for Reimbursement
Submitting Late Monthly claim
After the 60-day claim period or 90-day period for revised claims, CACFP will not process original monthly claim unless the institution chooses to utilize its one-time exception.

One-time exception for payment of late claims
The one-time exception is only available once every three years, unless the delay in submission is a result of circumstances beyond the institution’s control. In this case, the CACFP may submit the claim to USDA for its approval for payment. Institutions must contact the CACFP office and complete required paperwork to use a one-time exception for the payment of a late claim.

Submitting Revised Monthly claim
If the institution discovers an error on the original claim for one or more sites after submitting the claim in CHEARS, institutions may submit a revised claim. Institutions may submit revised claims resulting in an increased amount of reimbursement for up to 90 calendar days from the last day of the claim month. After the 90-day period, institutions may submit revisions, which do not result in an increase in reimbursement.

Payment of Claims
Federal regulations require the CACFP to reimburse participating institutions within 45 days of the date an institution submits a valid and error-free claim for reimbursement in CHEARS. Generally, institutions will receive payment before the 45-day deadline. However, circumstances beyond the control of the CACFP may delay payment of a claim up to the 45-day deadline.

Circumstances or errors made by the institution on the claim for reimbursement will prevent the institution from submitting the claim in CHEARS, thus delaying payment. The institution representative receives an error message in most of these situations. Such circumstances include, but are not limited to, the following:

- The county Fiscal Agreement(s) with the Department of Human Services for the care of CCAP beneficiaries expires for one or more site and the institution fails to update the expiration date in CHEARS and submit/attach a copy of the current agreement(s) for CACFP approval (only applies to for-profit institutions).
• The Food Service Management Contract (FSMC) expires for one or more site and the institution fails to update the expiration date in CHEARS and submit/attach a copy of a current contract for CACFP approval.

• The institution makes errors on the claim for reimbursement, such as providing incorrect meal counts or attendance numbers or claiming meals the institution is not approved to claim.

• The institution attempts to submit a claim for a site that has not been approved for participation by the CACFP office.

• A for-profit institution fails to provide required for-profit eligibility documentation for sites whose percentage of CCAP (Title XX) beneficiaries or Free and Reduced beneficiaries is between 25% and 30% of total enrollment.

• The institution does not submit CACFP records by established deadlines to support a claim for reimbursement as requested by the CACFP office for any reason.

• The institution’s records do not support the claim for reimbursement resulting in a revision of the claim by the CACFP.

Institutions have the option to receive the CACFP reimbursement in the form of a check sent by mail, or by electronic deposit into a bank account. Contact the CACFP office to change the institution’s method of payment at 303-692-2595. The EFT form is also located in CHEARS in the Download Forms section.

**Denial of Claims and Recovery of Over-payments**
The CACFP will deny payment of any portion of a monthly claim and recover any payment made to an institution that is not properly payable under Program regulations. The CACFP may consider claims not properly payable if an institution does not comply with record keeping or meal service requirements to support the claim, or if the CACFP has reason to believe, based on the results of reviews or audits, that the institution has engaged in unlawful acts with respect to CACFP operations.

If the CACFP denies a portion of a claim or demands repayment of an over-claim, the CACFP will take the following actions:

• The CACFP will notify the institution of the reasons for any denial or demand for repayment in writing.

• The CACFP will provide the institution with information about appeal rights. CACFP regulations allow institutions 15 days after the receipt of the notice of claim denial or demand for repayment to submit a written request for appeal. Refer to Section 6: Reviews for more information on appeals.
The CACFP will allow the institution 30 days to repay the over-claim amount before interest will accrue on the unpaid balance.

If the institution fails to repay the over-claim amount, the CACFP will declare the institution and its responsible principles Seriously Deficient in the operation of the CACFP and the unpaid debt will be transferred to the State collections agency.

If the CACFP declares the institution Seriously Deficient, repayment of the associated over-claim is a condition of the Serious Deficiency corrective action plan. The institution must repay the over-claim amount in full within 30 days. If the Seriously Deficient institution fails to repay the over-claim within the allowed time, the CACFP will propose to terminate the institution and its responsible principles from participation in the CACFP.

Discontinuing Program Participation and Payment of Final Claim
When an institution discontinues participation in the CACFP, the CACFP may require the institution to submit records to support the final claim. Institutions must notify the CACFP in writing or email in advance of their intention to discontinue participation. The CACFP will provide instructions to the institution at that time if a record review is necessary. If any portion of the claim is invalid or unsupported by records, the CACFP will adjust the claim accordingly and grant the institution appeal rights.

USDA Foods or Cash-in-Lieu of USDA Foods
The USDA provides participating institutions the option to receive USDA Foods (also known as commodities) in addition to CACFP reimbursement. The USDA Foods must only be used for reimbursable meals served in approved sites participating in the CACFP.

USDA Foods are surplus foods purchased by the USDA to improve the diets of children and support the U.S. agricultural market. Depending upon the season and available crops, the USDA may purchase foods including, but not limited to, meats, canned or fresh fruits and vegetables, dairy products, wheat products and peanut butter. The USDA distributes these foods to states, which distribute them to various organizations, including sites participating in the CACFP. All the USDA Food items are grown in the U.S.

Once a year, the CACFP distributes a survey through which institutions may choose to receive USDA Foods in addition to CACFP reimbursement or additional cash instead of USDA Foods (cash-in-lieu of USDA Foods). An institution’s entitlement for USDA Foods is based on the total number of lunches and suppers claimed from July through June of the prior year. Because the USDA Foods are purchased in large quantities, the entitlement value of the USDA Foods is often less than supermarket prices.

The USDA Foods option is beneficial for sites that have an experienced cook on staff and sufficient storage space for large quantities of food. Institutions that choose the USDA Foods option receive approximately $0.2325 less cash reimbursement on each
lunch and supper claimed. The cash reimbursement received for breakfasts and snacks is the same as the cash-in-lieu of USDA Foods option. For more information about USDA Foods, contact the CACFP office at 303-692-2456.
SECTION 5 - Sponsor of Centers

Introduction
A Sponsoring Organization of Centers (SOC) refers to a public or nonprofit private organization or eligible for-profit organization that assumes full responsibility for the administration of the CACFP. Responsibility is assumed for one or more child care center, outside school hours care center, adult day care center, at-risk afterschool program, Head Start program, homeless shelter, or any combination of these that are affiliated or unaffiliated.

- Unaffiliated sites are legally distinct entities from the sponsoring organization.
- Affiliated sites are part of the same legal entity as the sponsoring organization.
- The sponsoring organization is administratively and fiscally responsible for all sites listed on the agreement and must manage and monitor the sites as defined by the regulations.

Participation Requirements
To participate in the CACFP as a SOC, an organization must:

- Complete an online application in CHEARS for participation for the institution and each site.
- Complete a management plan and administrative budget.
- Demonstrate financial viability, capability and accountability for CACFP participation.
- Assume final administrative and financial responsibility for operating the Program.
- Assume responsibility for submitting and maintaining online applications for participation for the institution and its sites.
- Provide adequate supervisory and operational staff for management and monitoring of the Program at all sites.
- Provide Program and nutrition-related training and technical assistance to personnel with CACFP duties.
- Conduct monitoring visits and review monthly claims from sites to ensure compliance with Program regulations.
- Undertake corrective action when necessary and conduct follow-up visits to ensure resolution of problems.
- Comply with requirements related to the financial aspect of the Program.
- Maintain appropriate records of costs and meals to support the number of meals claimed for reimbursement and demonstrate the operation of a nonprofit food service.
- Submit monthly claim to the CACFP office and distribute reimbursement funds to the sites for use in food service operations.
- Develop and implement consistent policies concerning Program operations, training and integrity.

The Application process
In CHEARS, the SOC must complete an online institution application, a site application for each individual site, an administrative budget and a management plan, and then
submit the application packet to CACFP for approval. The institution must submit all required documents for the institution and for each site.

The management plan and administrative budget must demonstrate the organization’s financial viability and administrative capability to operate the Program according to regulations. The management plan must describe systems to fulfill all required CACFP tasks, including record keeping, food service, claims submission, staff training, monitoring of CACFP operations at sponsored sites and allocation of funds. The management plan includes questions addressing all of these areas.

The administrative budget must include all projected income and costs of operating the CACFP by the SOC and its sponsored sites. A SOC may use up to 15% of the earned or estimated meal reimbursements for administrative costs, described below. The administrative budget must reflect the operation of a nonprofit food service, in which the SOC uses all CACFP funds for the food services and administration of the CACFP. SOCs must use the remainder of the reimbursement for meal service costs.

**Multi-State Sponsors**
A SOC in more than one State (multi-state sponsors) is also subject to the 15% administrative expenditure cap within each individual State and overall. Multi-State sponsors must develop a comprehensive budget that identifies its cost, by State and in total. These costs must represent the sum of direct and shared costs from each individual State program and the sponsor’s home office costs. The budget must identify the method used by the sponsor to allocate shared costs between State programs and identify the amount of CACFP reimbursement the sponsor would retain for home office costs. In addition, the budget must reflect the amount of reimbursement that each State would receive for direct administrative costs occurring within the State.

- **Administrative costs** include planning, organizing, managing, preparing claims, determining income eligibility, updating enrollment information, monitoring and training.
- **Food Service costs** include cost of food, food service supplies, food preparation and the meal service.

Refer to Section 2: *Administrative Record Keeping Requirements* for more information, including examples of administrative costs and food service costs.

Through the management plan, applicants must describe the sponsoring organization’s processes for adhering to the following policies and requirements:

**Monitoring Staff**
All applicants must employ adequate administrative staff to meet the requirements (described later in this section) for conducting CACFP monitoring of sponsored sites through record review and site visits.
All sponsoring organizations with 25 or more sites must employ the equivalent of one full-time staff person for each 25 to 150 location sites it sponsors.

For purposes of determining the monitor-to-site ratio, and to comply with this CACFP requirement, the following defines which staff duties will count as monitoring:

- All activities related to conducting CACFP on-site visits, including planning and scheduling, pre-visit preparation, travel, supervisory oversight of monitors, and the monitoring function. Duties also include time spent in the site during the visit, writing the site visit reports, conducting follow-up to the site visits to ensure compliance in all CACFP areas, and following up on any activities related to the Serious Deficiency process (evaluation of corrective action, appeal and termination).
- On-site training related to nutrition or CACFP administration that occurs during a site visit and initial or subsequent training of sponsor staff that relates to the monitoring function.
- Technical assistance related to CACFP, if provided during site visit.
- Claims processing duties, including menu reviews to determine claim accuracy and meal eligibility.
- All time spent in the site by the monitor as part of the CACFP site visit.

Outside Employment Policy
A sponsoring organization must provide, and keep on file, a copy of an outside employment policy, which restricts other employment by employees that interferes with the employee’s performance of Program-related duties. This includes any employment that constitutes a real or apparent conflict of interest. This policy does not restrict employees from holding other employment, but other employment must not interfere with CACFP duties. Sponsoring organizations may use the sample employment policy developed by the CACFP.

Sample Outside Employment Policy
__________________ (Name of Sponsoring Organization) restricts employees with CACFP duties to hold outside employment that would interfere or present a conflict of interest with the performance of CACFP duties and responsibilities.

Pre-Approval Site Visits
As part of the SOC’s initial application, it must conduct and document pre-approval meal observation visit at all sites included in the application to discuss Program benefits and verify the staff members’ capability of managing the proposed food service operations and record keeping systems. SOCs must use the Site Visit Form provided by the CACFP or a site visit form approved by the CACFP. The form is available to download in CHEARS in the Download Forms section.
Household Contacts Policy to Verify Attendance and Enrollment of Children
Each SOC must establish a system and written policy in which the SOC verifies attendance and enrollment information by contacting adult members of households as part of site reviews when time-in/sign-out records are unavailable, incomplete or invalid. The household contact process is not required for at-risk afterschool program sites and homeless or emergency shelters.

The SOC may use the sample policy developed by the CACFP, which is located on the CACFP website. The policy must specify the following information:

- The method of contact (phone contacts or letters with open-ended questions about attendance and meals received).
- Staff members assigned to complete the household contacts and document findings.
- Staff members responsible for determining further action or the need for further household contacts based on findings.
- The timeline to complete household contact information and time for parents to respond.
- Alternate plans to verify attendance records if contact cannot be made due to circumstances, such as a disconnected phone, returned mail correspondence, no answer, or relocation of a family.
- Method of documentation of all findings and contacts made or attempted.

Certification regarding disqualification from publicly funded programs & conviction of crimes
At the time of application and recertification, a SOC must:

- Certify that neither the sponsoring organization, nor any site included in the application, nor any sponsoring organization principals or any sites principals, have been disqualified from participation in any other publicly funded program for violating that program’s requirements.
- Certify that neither the sponsoring organization, nor any site included in the application, nor any sponsoring organization principals or any sites principals have been convicted of, or concealed, certain crimes indicating a lack of business integrity.

Summer Food Service Program Sponsors and School Food Authorities Transitioning to CACFP At-risk Afterschool Meals
Summer Food Service Program (SFSP) sponsors in good standing are eligible to apply to participate in CACFP with minimum application requirements. Certain CACFP documentation requirements may be waived to lessen duplication of documents that were submitted for the purpose of participation in SFSP. Additionally, a School Food Authority (SFA) who successfully operated the National School Lunch Program (NSLP) and/or a SFSP is eligible to apply to participate in the at-risk afterschool meal program of CACFP through streamlined requirements. Please refer to the Colorado CACFP at-risk afterschool manual or contact the CACFP office at 303-692-2330 for more information.
CACFP Performance Standards
Please review information on performance standards for Sponsors of Centers in Section 1: CACFP Program Requirements.

Adding New Sites to the Sponsorship
The CACFP must approve new site participation before the SOC may claim reimbursement for meals served at the site. A SOC must complete an online site application in CHEARS for each new site, update the institution application, provide required documents and complete a pre-approval site visit as part of the application process. The CACFP staff will review applications once they are complete. Sponsoring organizations will then receive written notification via email of the CACFP’s decision to either approve or deny the application.

Meal reimbursement for new sites will not be provided until the application is reviewed and approved by the State office. Effective claim dates are determined during the new site application process.

The CACFP will not approve new sites while the SOC, responsible principle(s), Responsible Individual(s), or any of its sites are considered seriously deficient or on the National Disqualified List.

If a participating site moves to a new location, the institution must provide a written notice to the CACFP office stating that the site is no longer located at the approved address or location site, and then complete the process to add a new site to the sponsorship at the new location.

Right of Sites to Participate Directly with the CACFP
A SOC that sponsors unaffiliated sites must inform the unaffiliated sites of their right to participate with the CACFP directly without the sponsorship of the organization.

Recertification Procedures for Sponsoring Organizations
A SOC must review and update the online institution, site applications and the administrative budget to recertify participation each year. Sponsoring organizations must review and update the online management plan at least every two or three years. The administrative budget and management plan must demonstrate compliance with performance standards as described earlier in this section. The sponsoring organization may need to revise the administrative budget and management plan more frequently at the request of the CACFP. The CACFP office will email recertification instructions and information to all CACFP participants in August prior to the new fiscal year.

Training Requirements
The CACFP regulations require a SOC to provide initial training before Program participation and annually thereafter. The CACFP requires monitoring staff of the sponsoring organization and key staff responsible for CACFP duties at sponsored sites to participate in training.
The CACFP defines key staff as:

- Persons who oversee CACFP functions at the site (ex: director, administrator).
- Persons who perform record keeping tasks or maintain paperwork (ex: assistant director).
- Persons who perform food service and food service duties (ex: cook).
- Any person responsible for CACFP duties.

At a minimum, annual training must include the topics listed below. All training must be appropriate to the level of experience and duties of staff. New staff will require more extensive training, while experienced staff may only require a refresher on the topics. Annual training topics include:

- **CACFP Meal Pattern Requirements**: Meal pattern components, quantity of food requirements and food preparation.
- **Meal Counts**: Methods for ensuring accuracy.
- **Claims Submission & Review Procedures**: Method of submitting claim information to the sponsoring organization and methods for the sponsoring organization to verify claim accuracy.
- **Record Keeping Requirements**: Record-keeping systems for all areas of the Program.
- **Reimbursement System**: Entire process from recording meal counts to receiving the reimbursement.
- **Civil Rights**: All institutions are required to provide annual civil rights training to all staff involved in any aspect of the CACFP. Refer to Section 1: Civil Rights Training Requirements for additional information.

In addition to the minimum training requirements, the CACFP also recommends training staff on topics such as nutrition for children and infants, food safety and sanitation, and best practices in feeding children and infants.

For monitoring staff of the sponsoring organization, the CACFP recommends training in the following areas:

- Activities related to conducting site reviews, including planning, scheduling and documenting reviews.
- Corrective action and follow-up processes and requirements.
- Household contact and 5-day reconciliation policies and procedures, if applicable to the sponsored sites.
- Technical assistance, as provided during a review.
- Claims processing.
- Menu reviews.

The SOC must maintain documentation of initial and annual CACFP training for monitoring staff and key staff at all sites. In addition, the SOC must certify compliance with training requirements at the time of review and at recertification each year. Documentation of training must include the date of training, names of attendees, and a list of the topics covered during the training. Failure of the SOC to
train and document training of sponsored site staff, or failure of staff to participate in training, may result in a Serious Deficiency during a CACFP review. Several options are available for sponsoring organizations to meet training requirements, including the following:

- The sponsoring organization may conduct its own trainings for staff. Trainings may be held in groups or individual sessions.
- Staff may register to attend a free training seminar provided by the CACFP staff. Register online at the CACFP website at [www.colorado.gov/cdphe/cacfp/training](http://www.colorado.gov/cdphe/cacfp/training).
- Staff may complete written training modules developed by the CACFP on various aspects of the Program. Contact the Nutrition Consultant working with the sponsoring organization to obtain these materials.
- The SOC may contact the CACFP staff for other training options, such as technical assistance by phone.

**Distribution of CACFP Correspondence**

The SOC must distribute copies of pertinent mailings from the CACFP to the individual sites, including the annual WIC information flyer, newsletters, pertinent policy memorandums, etc.

**Review Requirements**

The CACFP regulations require a SOC to monitor CACFP operations at all sites throughout the year. Monitoring staff of the SOC, who are trained in all areas of CACFP operation, must review operations at each site three times each year. These are referred to as site visits or site reviews.

In addition, the SOC must meet the following review requirements:

- At least two of the three reviews must be unannounced.
- Two of the three reviews must include the observation of a complete meal service.
- At least one review must occur during each new sponsored site’s first four weeks of Program operations.

**For Programs in operation for less than twelve months**

The *USDA Monitoring Handbook for State Agencies* states:

- At least one review must be made during each new facility’s first four weeks of Program operations.
- The first review requirement also applies to a facility that changes sponsors or to a facility that re-enters CACFP after a break in participation.

The USDA recently clarified State Agencies have the authority to define the duration of time and conditions to be considered a “break in participation” referenced above. Given this authority, the Colorado CACFP State Agency defines a break in participation as follows:
A break in participation is defined as:

- The duration of six complete calendar months during which a facility approved to participate in the CACFP does not submit a claim for reimbursement.
- The period of time during which a facility ceases participation with a sponsoring organization by terminating its agreement with a sponsor.

Under this definition, sponsoring organizations are no longer required to conduct a monitoring visit for participating facilities within the first four weeks of operation after summer break from the school session or other type of break, if the break in CACFP participation is less than six complete calendar months in duration and if the facility has not terminated its agreement with the sponsoring organization. For these facilities, the USDA recommends, but does not require, sponsoring organizations complete a review within the first 6 weeks of operation.

**Prorating the number of monitoring visits**

Sponsoring organizations may prorate the number of reviews required in a 12-month period according to the amount of time the facility is in operation. For example, if the center participates in the CACFP during 5-8 months of the sponsor’s defined monitoring year, two visits are required during the year. If the center participates during 9-12 months in a monitoring year, three visits are required. The Colorado CACFP State Agency authorizes sponsoring organizations to use this option. For any sponsored facility, if problems arise during monitoring visits, additional visits may be necessary.

As illustrated in the example provided above, if the prorating calculation yields a decimal value, the sponsoring organization must round up to the nearest whole number, which represents the number of required reviews for the facility over a 12-month period. Sponsoring organizations that choose to use this option must contact the assigned CACFP Nutrition Consultant to confirm the correct calculation, discuss the change in procedure, and update the sponsoring organization’s Management Plan to indicate the sponsoring organization’s decision to use this option.

- For Programs in operation for nine months or less, the first site visit of each year must occur within the first four weeks of Program start-up. Reviewers must allow sufficient time before the end of the Program year to conduct follow-up visits, if necessary.
- No more than six months may elapse between reviews.

**Streamlining monitoring visits for facilities that participate in the Summer Food Service program**

Sponsoring organizations serving facilities participating in both the Summer Food Service Program (SFSP) and the CACFP are allowed to monitor both programs following the CACFP monitoring schedule year-round.

- One of the three annual reviews must occur during the summer for SFSP requirements, including the review of a meal service, and be unannounced.
Two reviews must occur during the school year for CACFP requirements, one of which must include the review of a meal service, and at least one unannounced.

If a facility that participates in the SFSP during the summer months only participates in the CACFP for less than 9 months of the school year, please contact the CACFP Nutrition Consultant for guidance regarding the number of monitoring visits required.

Monitoring staff conducting reviews must show photo identification, which verifies their employment by the sponsoring organization.

Monitoring staff conducting reviews must be a Responsible Principal or individual from the sponsoring organization who has received CACFP training specific to the duties of the position and who is not a staff or volunteer at the monitored site.

Unannounced reviews must occur during the site’s normal hours of operation and must vary in timing to ensure that visits are unpredictable.

Visits must be a minimum of 30 minutes in length in order to have adequate time to complete the meal observation, 5-day record reconciliation, review menus and production records, license and to provide adequate technical assistance to the site coordinator.

**Review Averaging**

CACFP regulations permit a SOC to conduct an average of three reviews of all sites each year. Use of this option allows sponsorships to choose not to conduct a third review of a site for which no findings were identified during the first two unannounced reviews. Overall, the sponsoring organization must conduct the same number of site reviews for the entire sponsorship. The SOC must review each site no fewer than two times, both of which must be unannounced, and one of which must include a review of the meal service. Prior to averaging site reviews, the sponsoring organization must submit a plan for implementation and tracking to the CACFP for prior approval.

**Review Notification**

SOC’s must provide to each site under its sponsorship a written notice of the right of the sponsoring organization, the CACFP, the USDA and other State and Federal officials to make announced or unannounced reviews of its operations during the site’s normal hours of operation. Sites must be notified that anyone making such reviews must display photo identification that verifies their employment by one of these entities. The sponsoring organization must provide this notice prior to serving meals that will be claimed at the site.

**Imminent Threat to Health or Safety**

If the sponsoring organization discovers conduct or conditions that pose an imminent threat to the health or safety of children or the public in a sponsored site, CACFP regulations require the SOC to immediately notify the appropriate State or local licensing or health authorities and take action consistent with the recommendations and requirements of those authorities.
**Review Content Requirements for Sponsored Sites**

The SOC must use the CACFP Site Visit Form, or a site visit form approved by the CACFP staff, for all required reviews of sponsored sites. The SOC must keep these completed forms on file for the required period of the current fiscal year plus three years and four months. The CACFP staff will evaluate these forms during reviews.

As indicated on the CACFP Site Visit Form, reviews conducted by the sponsoring organization must include the following areas:

- An assessment of whether problems identified during previous reviews were corrected.
- Meal Count Reconciliation.

**Child Care & Outside School Hours Care Sites**

Reviews must include an examination of the meal counts recorded by the site for approximately 10% of the children listed on the ROMS for five consecutive days during the current or previous month. The previous month should only be used if the visit is conducted in the current month but there are less than five days available for the two-day reconciliation.

For sites with 50 or fewer enrolled children, the sponsoring organization must complete the examination of records for at least five enrolled children. For each day during the 5-day period, the reviewer must compare meal counts for breakfasts, lunches, suppers and snacks to time-in/sign-out records. The reviewer must also ensure that current enrollment information is on file for every child for whom meals are claimed. Based on that comparison, the reviewer must determine whether the meal counts were accurate.

**At-risk Afterschool Programs**

The monitor must compare the total number of meals and/or snacks claimed to the total number of children in attendance on each day using attendance records and reconcile meal and snack counts if necessary.

**Homeless or Emergency Shelters**

If attendance records are available, the monitor must compare the total number of each type of meal claimed to the total number of children in attendance on each day using the attendance records and reconcile, if necessary. If attendance records are not available, the monitor must conduct a more general review of the site’s meal counting and claiming procedure. This review would not include a 5-day reconciliation of meal counts. If there is a discrepancy between meal counts and time-in/sign-out or attendance records, the monitor must attempt to correct the difference and take further action, if necessary. Appropriate action may include meal disallowance, further investigation according to the household contact policy, if applicable, and/or establishment of a Corrective Action Plan (CAP). On the day of the review if there is a discrepancy between the number of children in attendance and prior meal count patterns, the monitor must investigate further to identify reasons for the discrepancy.
Monthly Edit Checks
The SOC must review each site’s monthly claim to determine the validity of the claim. The edit checks must ensure the following:

- Each site claims only meals approved by the CACFP office.
- For each meal type, the number of meals claimed does not exceed the maximum number of meals possible for the month (number of days in operation multiplied by the total number of enrolled children).
- If the SOC detects a block-claiming pattern, the SOC must investigate further to identify the possible cause of this unlikely occurrence. If the sponsoring organization fails to identify a legitimate cause for the pattern, the claim may be considered false or invalid. In this case, the SOC must pursue the process of corrective action, follow-up and documentation of the process. The sponsoring organization must also take action for repeated block claiming patterns.

An Assessment of Compliance with Program Requirements
This assessment must evaluate compliance with regulations pertaining to the Meal Pattern, licensing or approval, attendance at training, meal counts, menu and production records and the annual updating of enrollment forms. Reviews must also involve an evaluation of record keeping accuracy, use of CACFP funds, child and infant feeding practices, and food safety and sanitation.

Use of Household Contacts
If sign-in/sign-out records are unavailable, incomplete or invalid during the review of a site, the SOC must use household contacts according to the sponsorship’s established household contact policy, as discussed earlier in this section, to verify the attendance and enrollment of children and specific meal services in which children participate. The SOC may contact an adult member of the household by mail, email or phone in order to verify information regarding the dates/times the children were in care. Sponsoring organizations may use the sample Household Contact Form, located on the CACFP website. The sponsoring organization must address and correct all discrepancies between claims and information received.

Documentation of any Review Findings
Monitoring staff must document areas of non-compliance identified during the review, the required corrective action to correct problems, and a description of technical assistance provided to the site staff. Sponsoring organizations must conduct follow-up visits to evaluate whether problems identified during site visits are corrected. Sponsoring organizations must maintain documentation of necessary follow-up visits and note resolutions to problems.

Record Keeping Requirements
Sponsoring organizations must keep administrative and food service records as outlined in Sections 2 and Section 3 of this manual for all sponsored sites that participate in the CACFP. In addition, sponsoring organizations must maintain records
of site reviews and documentation of training for sponsoring organization monitoring staff and staff responsible for CACFP duties at individual sites. Keep records for three years and four months in addition to the current fiscal year.

Claim for Reimbursement
The sponsoring organization must develop a system to obtain claim information from all sites, conduct the required edit checks and submit claims by site in CHEARS. The CACFP recommends designating an organization representative to complete these tasks. If the institution prefers to allow designated persons from each site to enter claim data for each site separately, an institution representative must conduct the required edit checks for each site on a monthly basis, and then submit the entire claim on behalf of the institution after evaluating all site claims.

Any person entering claims into CHEARS must sign the Certificate and Statement of Authority (CSA) as a Responsible Principle or Responsible Individual and obtain their own User ID and password for access to CHEARS. Contact the CACFP office at 303-692-2330 for the necessary forms and access into CHEARS.

Disbursement of CACFP Funds
Sponsoring organizations must make payments of Program funds to the sites it sponsors within five working days of receipt from the State agency, based upon processes described in the management plan approved by the State agency. These disbursements may not exceed the Program costs documented by each facility during any fiscal year. If the sponsoring organization purchases food and food service related goods for all sites, the sponsoring organization must ensure that funds spent for each site are reflective of the reimbursement earned by each site and ensure the goods are delivered appropriately to the sites.
SECTION 6 - Reviews

INTRODUCTION
The CACFP will review CACFP operations of participating institutions to ensure compliance with CACFP regulations and provide technical assistance and best practice guidance. In addition, institutions may also be subject to an audit conducted by an independent auditor.

The CACFP conducts reviews of institutions once every three years at a minimum.
- Institutions sponsoring 10 or more sites, every other year.
- Institutions sponsoring 9 or fewer sites, once every 3 years.

Audits are slightly different from CACFP reviews. Audits are required of all institutions that receive more than $750,000 in total Federal funds for the entire institution during a fiscal year. Audit requirements for institutions that participate in the CACFP are outlined in 7 CFR Part 3052 and OMB Circular A-133: Audits of States, Local Governments, and Nonprofit Organizations. In order to maintain continuity between nonprofit and for-profit institutions, the CACFP has used the OMB Circular A-133 as a guide for establishing the audit policies for for-profit institutions as well.

Institutions may be reviewed or audited anytime at the discretion of the CACFP for any reason.

Review Procedures - What to expect
The CACFP will review all institutions once every two or three years or more frequently if necessary. Reviews of institutions with more than one site will include announced and unannounced site visits to sponsored sites. Nutrition Consultants will conduct the reviews.

A Nutrition Consultant will contact a representative of the institution to schedule the review, unless the review will be unannounced. The CACFP will review records for at least one month of the current Program fiscal year, which begins October 1 and ends September 30. If the CACFP identifies problems, the reviewer may evaluate records from additional months.

The CACFP review will include, but is not limited to, the following records:
- IEFs (Child care and Outside school hours sites only).
- ROMS.
- Sign-In/Sign-out Records (Child care, Outside school hours and Head Start sites only).
- Records of Attendance (At-risk afterschool programs and homeless shelters only).
- Enrollment Records (Child care, Outside school hours and Head Start sites only).
- Record of Deposit.
• Documentation of Eligibility for the selected review month (for-profit child care sites only).
• Training Records - for both Civil Rights and annual CACFP staff training;
• Civil Rights compliance.
• Kitchen inspection report.
• Invoices and receipts.
• Food service labor cost records.
• Menus.
• Menu and production records for children and individualized records for infants, if applicable.
• Formula Decision Forms (Child care sites caring for infants only).
• Special Diet Statements.

In addition to the above items, institutions sponsoring more than one site must provide the following records during a CACFP review:
• Documentation of site visits.
• Documentation of CACFP-related administrative costs, including administrative labor and supplies for the review month.
• Documentation of household contacts that were conducted during the previous and current fiscal year, if applicable.

During the review, the Nutrition Consultant may identify Program deficiencies. The Consultant will discuss the deficiencies with one or more responsible principles or individuals of the institution and work together to establish a required Correction Action Plan (CAP) that resolves the deficiencies. The Nutrition Consultant will provide technical assistance as needed to ensure the institution can successfully complete its corrective action. The Consultant may require the institution to provide documentation of successful corrective action to continue Program participation.

After each review, the CACFP will provide the institution with a detailed report of the review results. The CACFP will require the institution representative to provide a signature indicating understanding of the report’s content.

Over-Claims
During the review, the Nutrition Consultant may identify meals claimed for reimbursement not supported by accurate or complete records. The CACFP will assess an over-claim for errors related to non-compliance with regulations. The CACFP may assess an over-claim for reasons including, but not limited to, the following:

• Claiming meals for children whose sign-in/sign-out records do not support their attendance during the time of meal service.
• Claiming meals for children who are not enrolled for care at the site.
• Claiming more meals than indicated on the ROMS.
• Failure to maintain current, accurate and valid IEFs for children whose meals are claimed in the Free and Reduced categories.
- Claiming meals in the incorrect income eligibility category.
- Claiming meals that do not meet the CACFP Meal Pattern requirements.
- Failure to purchase and maintain documentation of adequate quantities of food and milk to meet the minimum quantity requirements at all meals claimed according the CACFP Meal Pattern requirements.
- Claiming meals during a month in which it does not qualify for Program participation (for-profit centers only).
- Any other reason in which meals claimed for reimbursement are not supported by records required by CACFP regulations.

**Determination of Serious Deficiencies**

If during a review of a participating institution, the Nutrition Consultant identifies serious deficiencies, the CACFP must declare the institution Seriously Deficient, provide a CAP and determine if the institution has demonstrated compliance and subsequent correction of the serious deficiencies in a timely manner. If the institution does not correct the serious deficiencies, the CACFP must propose to terminate the institution and provide the institution appeal rights as outlined below.

The list of possible Serious Deficiencies is not identical for all types of institutions (new, recertifying and participating). The type of information likely to be available to the CACFP is different for each type of institution.

**Serious Deficiencies for New Institutions**

Serious deficiencies for new institutions include:

- Submission of false information on the application for participation, including but not limited to, a determination that the institution has concealed a conviction for any activity that occurred in the past seven years and that which indicates a lack of business integrity.
  - Lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency.
- Any other action affecting the institution’s ability to administer the Program in accordance with Program requirements.

**Serious Deficiencies for Recertifying Institutions**

Serious deficiencies for recertifying institutions include:

- Submission of false information on the recertification application for participation, including but not limited to, a determination that the institution has concealed a conviction for any activity that occurred in the past seven years and that indicates a lack of business integrity.
  - Lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making
false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency.

- Failure to operate the Program in conformance with the performance standards of financial viability and financial management, administrative capability and Program accountability as outlined in 7 CFR 226.6(b)(18).
- Failure to comply with the bid procedures and contract requirements of applicable Federal procurement regulations.
- Use of a food service management company that is in violation of health codes.
- Failure by a sponsoring organization to properly train or monitor sponsored facilities in accordance with 7 CFR 226.16(d).
- Failure to perform any of the other financial and administrative responsibilities required by 7 CFR 226.6.
- Any other action affecting the institution’s ability to administer the Program in accordance with Program requirements.

**Serious Deficiencies for Participating Institutions**

Serious deficiencies for participating institutions include:

- Submission of false information on the application for participation, including but not limited to, a determination that the institution has concealed a conviction for any activity that occurred in the past seven years and that indicates a lack of business integrity.
  - Lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency.
- Permitting an individual who is on the National Disqualified List (NDL) to serve in a principal capacity with the institution, or permitting such an individual to serve as a principal in a sponsored site.
- Failure to operate the Program in conformance with the performance standards of financial viability and financial management, administrative capability and Program accountability as outlined in 7 CFR 226.6(b)(18).
- Failure to comply with bid procedures and contract requirements of applicable Federal procurement regulations.
- Failure to return to the CACFP any advance payments that exceeded the amount earned for serving eligible meals, or failure to return disallowed start-up or expansion payments.
- Failure to maintain adequate records.
- Failure to adjust meal orders to conform to variations in the number of participants.
- Claiming reimbursement for meals not served to participants.
- Claiming reimbursement for a significant number of meals that do not meet Program requirements.
- Use of a food service management company that is in violation of health codes.
• Failure of a sponsoring organization to disburse payments to its facilities in accordance with the regulations at 7 CFR 226.16(g)(h) or in accordance with its management plan.
• Failure by a sponsoring organization to properly train or monitor sponsored facilities in accordance with 7 CFR 226.16(d).
• Failure to perform any of the other financial or administrative responsibilities required by 7 CFR 226.6.
• The fact the institutions or any of the institution’s principals have been declared ineligible for any other publicly funded Program due to violating that Program’s requirements; however, this prohibition does not apply if the institution or the principal has been fully reinstated in, or is now eligible to participate in that Program, including the payment of any debts owed.
• Conviction of the institution or any of its principals for any activity that occurred during the past seven years that indicates a lack of business integrity.
• Any other activity indicating a lack of business integrity as defined by the CACFP or any other action affecting the institution’s ability to administer the Program in accordance with Program requirements.

**Notice of Serious Deficiency**

If the CACFP determines that a new, recertifying or participating institution is Seriously Deficient in Program operations, the CACFP will provide the institution, its Responsible Principals and Responsible Individuals a notice of the Serious Deficiency(ies) and an opportunity to correct the deficiencies. The notice will specify the following:

• The name of the Chairman of the Board, Executive Director/Director and any additional Responsible Principals and Responsible Individuals.
• The Serious Deficiency(ies).
• The required actions to be taken to correct the serious deficiency(ies).
  - The serious deficiency notices must provide detailed information on the required CAP for the identified serious deficiency(ies), which are specific to the deficiency(ies) needing correction and which address the root causes of the problems discovered.
• The time allowed to correct the Serious Deficiency(ies).
• That the Serious Deficiency determination is not subject to administrative review/appeal.
• That failure to fully and permanently correct the Serious Deficiency(ies) within the allowed time will result in denial of the new or renewing institution’s application and issuance of a Notice of Proposed Termination and Disqualification.
• That the CACFP will not pay any monthly claim for eligible meals served or allowable administrative expenses incurred until the CACFP has approved the new or recertifying institution’s application and the Institution has signed a Program agreement.
• That for participating institutions, unless payment has been suspended, the CACFP will continue to pay any valid unpaid monthly claim for eligible meals
served and allowable administrative expenses incurred until the Serious Deficiencies are corrected or the institution’s agreement is terminated, including the period of any administrative review.

- That voluntary termination of an institution’s agreement with the CACFP after it has been declared Seriously Deficient will result in the issuance of a Notice of Termination and Disqualification and placement on the National Disqualified List.

**Corrective Action Plan (CAP) for Institutions and Responsible Principal(s) and Individual(s)**

In response to the serious deficiency determination, the institution must submit a CAP to the CACFP, which includes at minimum the following information:

- Name(s) of Institution associated with serious deficiencies along with address of Institution and dates of birth for Responsible Principal(s) and individuals(s).
- Each serious deficiency and procedures to be implemented to correct the issue.
- Personnel who will be addressing the serious deficiency(ies).
- The timeframe for implementation of the procedures to correct the issue.
- Location where CAP documentation will be retained associated with correcting the issue.
- The policies and procedures that have been modified to include the procedures for maintain compliance with meal pattern requirements (written policies and procedures are recommended).
- Additional supporting documentation that must be submitted with the CAP including but not limited to: copies of IEFs, enrollment forms, enrollment rosters, staff training documentation, site monitoring reports, menus, CN labels or manufacturers’ product analysis sheets or recipes, attendance records, meal count forms, itemized food receipts, etc.

**Successful Corrective Action**

If the institution successfully demonstrates correction of the serious deficiency(ies) within the allowed time, the CACFP will:

- Notify the new, recertifying or participating institution and its Responsible Principals and Responsible Individuals that the CACFP has temporarily deferred the Serious Deficiency determination and offer the new or recertifying institution the opportunity to resubmit its application. If the new or recertifying institution resubmits its application, the CACFP must complete its review of the application within 30 days after receiving a complete and correct application.

At the same time the notice is issued, the CACFP must also provide a copy of the notice to the appropriate Food and Nutrition Services Regional Office (FNSRO).
Unsuccessful Corrective Action
If the new or recertifying institution does not demonstrate timely correction of the Serious Deficiency(ies), the CACFP will notify the institution and its Responsible Principals and Responsible Individuals that the new or recertifying institution’s application has been denied.

If a participating institution fails to demonstrate timely corrective action to fully and permanently correct the Serious Deficiency(ies), the CACFP will issue a Notice of Proposed Termination and Disqualification. The CACFP will notify the institution’s Chairman of the Board (if a nonprofit), Executive Director/Director, and any additional Responsible Principals and Responsible Individuals that the notice proposes to terminate the institution’s agreement and disqualify the institution, its Responsible Principals and Responsible Individuals.

At the same time the CACFP issues either notice, the CACFP will provide a copy of the notice to the appropriate FNSRO. The notice will specify:
- That the new or recertifying institution’s application has been denied and the CACFP will disqualify the institution, its Responsible Principals and Responsible Individuals.
- That the CACFP will propose to terminate the participating institution’s agreement and disqualify the institution, its Responsible Principals and Responsible Individuals.
- The basis for the actions.
- The procedures for seeking an administrative review of the application denial or proposed termination and disqualification.

Program Payments
Federal regulations prohibit the CACFP from paying any claims from a new institution for eligible meals served, or allowable administrative expenses incurred, until the CACFP has approved the institution’s application and the institution and the CACFP have signed a Program agreement.

For renewing and participating institutions, unless participation has been suspended, the CACFP will continue to pay any valid unpaid monthly claim for eligible meals served and allowable administrative expenses incurred until the Serious Deficiency(ies) is corrected or the institution’s agreement is terminated, including the period of any administrative review.

Administrative Reviews (Appeals)
The CACFP has procedures for offering administrative reviews (appeals) to institutions, Responsible Principals and Responsible Individuals. The administrative review (appeal) procedures are offered annually to all institutions upon request and whenever the following actions are taken by the CACFP:
- Denial of a new or recertifying Institution’s application for participation.
- Proposed termination of a participating Institution’s agreement.
• Proposed disqualification of a Responsible Principal or Responsible Individual of the institution.
• Suspension of an institution’s participation due to a suspension for health and safety reasons or submission of a false or fraudulent claim.
• Denial of a sponsoring organization’s application for start-up or expansion funds.
• Recovery of all or part of an advance in excess of the claim for the applicable period.
• Denial of all or part of an Institution’s claim (except for a denial based on a late claim submission).
• Decision by the CACFP not to forward to FNSRO an exception request by Institution for payment of late claim or a request for an upward adjustment to a claim.
• Demand for the remittance of an over payment.
• Any other action of the CACFP affecting an institution’s participation or its claim.

The CACFP is prohibited from offering administrative review (appeal) procedures for the following actions:
• A decision from FNSRO to deny an exception request by an Institution for payment of a late claim or for an upward adjustment of a claim.
• Decision by the CACFP that an institution’s corrective action for noncompliance was not complete and permanent.
• Decision by the CACFP or the FSNRO that an institution’s corrective action is inadequate to be removed from the National Disqualified List.
• A determination that an Institution is seriously deficient.
• Disqualification of an institution, Responsible Principal or Responsible Individual, and the subsequent placement on the National Disqualified List.
• Termination of a participating institution’s agreement.

The CACFP administrative review (appeal) procedures include the following elements:
• The institution’s Executive Director, Chairman of the Board of Directors (for a nonprofit) and the Responsible Principals and Responsible Individuals will be given notice of the action being taken or proposed, the basis for the action and the procedures to follow to request an administrative review (appeal) of the action being taken.
• The request for administrative review (appeal) must be submitted in writing no later than 15 days after the date the notice of action is received. The CACFP must acknowledge the receipt of the request for an administrative review (appeal) within 10 days of its receipt of the request.
• The institution and the Responsible Principals and Responsible Individuals may retain legal counsel or may be represented by another person.
• Any information on which the CACFP based its action must be made available to the institution, its Responsible Principals and Responsible Individuals for inspection from the date of receipt of the request for an administrative review.
• The institution, its Responsible Principals and Responsible Individuals may refute the findings contained in the notice of action in person or by submitting written documentation to the administrative review (appeal) official. Written documentation must be submitted to the administrative review (appeal) official no later than 30 days after receipt of the notice of action.

• A hearing by the administrative review (appeal) official is only required when the institution, Responsible Principals or Responsible Individuals submit a written request for a hearing. If the institution’s representative, Responsible Principals or Responsible Individuals fail to appear at a scheduled hearing, they waive the right to a personal appearance before the administrative review (appeal) official, unless the official agrees to reschedule the hearing. A representative of the CACFP must be allowed to attend the hearing to respond to the testimony of the Institution, Responsible Principals or Responsible Individuals to answer questions posed by the administrative review (appeal) official. If a hearing is requested, the Institution, Responsible Principals, Responsible Individuals and the CACFP will be provided with at least 10 days advance notice of the time and place of the hearing. The administrative review (appeal) official will be independent and impartial. If the review official is a CACFP employee, he/she will not have been involved in the action being taken. The sponsoring organization, Responsible Principals and Responsible Individuals will be permitted to contact the administrative review (appeal) official directly if they choose to.

• The administrative review (appeal) official must make a determination based solely on the information provided by the CACFP, the institution, the Responsible Principals and Responsible Individuals and based on Federal and State laws, regulations, policies and procedures governing the Program.

• Within 60 days of the CACFP’s receipt of the request for an administrative review (appeal), the administrative review (appeal) official will inform the CACFP, the institution’s Executive Director, Chairman of the Board of Directors (for a nonprofit), Responsible Principals and Responsible Individual of the administrative review (appeal) outcome. This timeframe is an administrative review (appeal) requirement for the CACFP and may not be used as a basis for overturning the CACFP’s action if a decision is not made within the specified timeframe.

• The determination made by the administrative review (appeal) official is the final administrative determination to be afforded the institution, its Responsible Principals and Responsible Individuals.

Disqualification and National Disqualified List
When the time for requesting an administrative review (appeal) expires or when the administrative review (appeal) official upholds the CACFP’s denial and proposed disqualification, the CACFP will notify the institution, its Responsible Principals and Responsible Individuals that the institution, its Responsible Principals and Responsible Individuals have been disqualified.
At the same time the notice is issued, the CACFP will provide a copy of the notice, the mailing address and date of birth for each Responsible Principal and Responsible Individual to the appropriate FNSRO.

Once an institution, Responsible Principal or Responsible Individual is placed on the National Disqualified List (NDL), they will remain on the NDL list for seven years from the date of their disqualification. However, if the institution, Responsible Principals or Responsible Individuals failed to repay debts owed under the Program, they will remain on the list until the debt has been repaid.

No institution or individual on the National Disqualified List may participate in the Program nor act as a principal in any organization participating on the Program, nor participate as a family child care home provider.
## Acronyms and Abbreviations

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<th>Acronym</th>
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<td>ADAAA</td>
<td>Americans with Disabilities Act Amendments Act</td>
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<td>CACFP</td>
<td>Child and Adult Care Food Program</td>
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<td>CCAP</td>
<td>Child Care Assistance Program</td>
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<td>CDE</td>
<td>Colorado Department of Education</td>
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<td>CDPHE</td>
<td>The Colorado Department of Public Health and Environment</td>
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<td>Consumer Price Index</td>
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<td>FSMC</td>
<td>Food Service Management Contract</td>
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<td>Income Eligibility Form</td>
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<td>Invitation for Bid</td>
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<td>IRS</td>
<td>Internal Revenue Service</td>
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<td>LEP</td>
<td>Limited English Proficiency</td>
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<td>LES</td>
<td>Leave and Earning Statement</td>
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<td>NSLP</td>
<td>National School Lunch Program</td>
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<td>Office of Management and Budget</td>
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<td>RFP</td>
<td>Request for Proposal</td>
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<td>Record of Meals Served</td>
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<td>School Food Authorities</td>
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