

Child and Adult Care Food Program (CACFP)

CACFP
Policy & Procedure
Manual

(Center Based Sponsors)

Oregon Department of Education Child Nutrition Programs

March 1, 2019 Edition

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Foreword . . . About this Manual

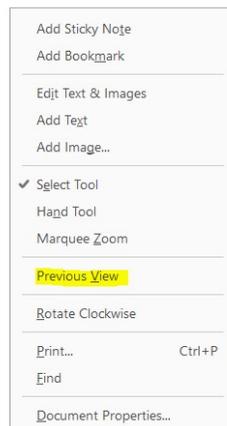
The Oregon Department of Education Child Nutrition Programs (ODE CNP) developed this manual to guide Sponsors of child care centers, Head Start programs, afterschool programs, emergency homeless shelters and adult day care centers in the day-to-day operation of the Child and Adult Care Food Program (CACFP). Sponsor officials are responsible for knowing the information and are urged to read all the material carefully and share it with their staff members responsible for CACFP operations.

Chapters contain ODE CNP policy and guidance based on Federal regulations, instruction and guidance. When a Federal change occurs, ODE CNP will revise the appropriate sections of this manual online and issue a notification to affected Sponsors regarding the revisions.

Guide to Navigating the CACFP Center Manual

The CACFP Center Manual has been designed with a number of features to facilitate easy navigation through the entire document:

- 1) Each line in the main Table of Contents links directly to the chapter or section referenced.
- 2) Each line in each chapter's Table of Contents links directly to that section of the chapter.
- 3) There is a link back to the main Table of Contents at the end of each chapter's Table of Contents and at the end of each chapter.
- 4) When you click on a link to a document within a chapter you will be taken to one of two places:
 - a. If the document has a single version or translation, the document will open
 - b. If the document has multiple versions and/or translations, you will be taken to the webpage that has all versions and/or translations available
- 5) When you have completed viewing a document that you have linked to, click the back arrow to return to your previous location within the manual.
- 6) When a different chapter is referenced within a chapter, the link will take you to the Table of Contents for the new chapter.
- 7) When you have completed viewing the information at a link that you have opened within the manual, right click on your mouse and then select "Previous View". You will be returned to your previous location within the manual.



- 8) When you click on a link to a website external to the manual, you will be taken directly to that website. Click the back arrow to return to your previous location within the manual.

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Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov”

Oregon Department of Education Child Nutrition Programs

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ODE CNP Websites:

[ODE CNP Main Webpage](#)

[ODE CNP CACFP Webpage](#)

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Section A – Basic Information About CACFP

What is the CACFP?

The Child and Adult Care Food Program (CACFP) is a voluntary Federally-funded program that provides meal reimbursement for serving nutritious meals and snacks to eligible participants in child care centers, family day care homes, Head Start programs, afterschool programs, emergency homeless shelters and adult day care centers. The United States Department of Agriculture (USDA) funds the Oregon Department of Education Child and Adult Care Food Program (ODE CACFP).

For information on the application process see [Chapter 2 Application and Renewal](#)

Why is this program provided?

The purpose of the CACFP is to improve the quality of child and adult day care for low-income families by providing assistance in offering nutritious meals and snacks served to eligible participants. Providing nutritious meals to children and adults helps promote the health of our nation.

The CACFP can improve the nutritional quality of meals and snacks in three ways.

1. The program provides required guidelines, including portions to be served, for meals and snacks to participants
2. The program provides monetary (reimbursement) assistance to eligible providers to help pay for meals that meet USDA requirements.
3. The CACFP requires training and monitoring by ODE CNP and Sponsors.

Program Goals

- To meet the nutritional needs of enrolled participants
- To promote healthy eating behaviors
- To improve the quality of child and adult day care, making it more affordable for low-income families

Benefits to a Participating Sponsor

A Sponsor is an organization that has an agreement with the Oregon Department of Education to operate the CACFP. Sponsors receive monthly reimbursements for serving nutritious meals and snacks to enrolled participants. ODE CACFP provides technical assistance to Sponsors to assist them in meeting program requirements and in menu planning, food preparation, food service sanitation, and record keeping.

Eligible Organizations

The following types of organizations are eligible to apply to participate in the CACFP:

- Public institutions – municipal, state, Federal or tribal organizations. For example, a public school district, a parks and recreation department, or a community college.

- Non-Profit organizations – organizations with IRS tax-exempt status such as community child care centers, afterschool programs, teen parent programs, Head Start programs.
- For-Profit organizations

Site Eligibility

All sites participating in the CACFP are eligible based on one of the following methods:

1. Maintaining a current Oregon Office of Childcare (OCC) Certificate; or
 2. Obtaining/maintaining current Approval from another Federal, State or local government entity;
- Or
3. Completing CACFP Alternate Approval requirements

Eligible Participants

CACFP serves the following participants enrolled in non-residential day care programs or residential homeless shelters:

- Children age 12 years or under
- Children and youth age 18 or under if participating in Afterschool At-Risk programs, Homeless or Emergency Shelter programs.
- Children of migrant workers age 15 or under
- Participants with mental or physical disabilities in child care when the majority of enrollees are age 18 or under
- Adults participating in qualifying adult day care centers

Reimbursement Rates

Meal reimbursement is based on the income of the enrolled participants and the type of meal served (breakfast, lunch, snack, or supper). Higher meal reimbursement is paid for meals served to participants with lower household income. Afterschool At-Risk Meals & Snacks programs and Homeless programs are reimbursed at the highest reimbursement rate. The Federal government adjusts the meal reimbursement rates every year. The new [rates](#) are effective every year on July 1.

Sponsors participating in the CACFP do not participate in the USDA Food Distribution Program. Sponsors will receive an additional amount of reimbursement as *Cash-in-Lieu (CIL) of commodities*. The CIL rate is paid for each lunch and supper claimed for reimbursement by a Sponsor. See the [Reimbursement Rates](#) webpage for the current Cash-In-Lieu rate.

Meal Pattern Requirements

Sponsors must meet program meal pattern requirements to receive reimbursement. CACFP meal pattern requirements depend on age of participants. The four meal patterns are:

- Infant – Birth to 11 months
- Children – 1 to 12 years of age
- Children – 13-18 years of age
- Adult participants

Limit of Reimbursable Meals and Snacks Sponsors Can Claim

In general, Sponsors may be reimbursed for a maximum of either two meals and one snack, OR two snacks and one meal per participant per day. Afterschool At-Risk Meals & Snacks programs may be reimbursed for a maximum of one snack and one supper per participant per day. Homeless and Emergency Shelter programs may be reimbursed for a maximum of any three meals per participant per day.

CACFP Federal Regulations

Title 7, Part 226 of the Code of Federal Regulations (7 CFR 226) in addition to provisions of 7CFR 3015, 7CFR 3016 and 7CFR 3019 are the primary Federal regulations which governs the operation of the Child and Adult Care Food Program. A full list of governing regulations is included in the State Agency-Sponsor Agreement. Sponsors can find the regulations on the [CACFP Memos, News, and Regulations](#) website.

Section B – Record Keeping Requirements

All CACFP records must be kept for three years plus the current program year, or until all audit or review findings are corrected, whichever is longer. Maintaining compliance with CACFP takes planning. Below is a sample of the record keeping requirements. Please note, the below list is not inclusive of all Program record keeping requirements and is merely a sample. Sponsors must maintain the following records:

- [CACFP Child or Adult One Month Enrollment Roster \(OMER\)](#)
- [Child Enrollment Forms \(CEF\)](#)
- *Nonprofit food service receipts*
- [Daily meal counts](#)
- *Daily attendance*
- [Menus](#)
- [Combination Food Recipe Form with instructions](#)
- [Combination Food Recipe Form](#)
- [Medical Statement for Food Substitutions](#)
- [Infant Records](#)

- [Site Monitoring Report form](#)
- [Civil Rights](#)
- [For Profit Eligibility documentation](#)
- [Racial Ethnic Data Collection](#)

How does a Sponsor receive the monthly reimbursement?

The USDA requires that Sponsors keep daily records of meals served including amounts of food served, the number of participants served, attendance, and the number of participants enrolled by income eligibility determination. The organization submits a claim each month to ODE CNP to support the request for reimbursement. ODE CNP reviews the claim and sends payment to each sponsor or sponsoring organizations.

Section C - Health and Safety Requirements

Child and Adult Care Food Program (CACFP) regulations require Sponsors to notify appropriate licensing or health authorities of conduct or conditions that pose an imminent threat to the health or safety of participants or to the public. This section provides guidance to help Sponsors detect and report the types of problems that rise to this higher level of concern.

It is important to remember that the facility's main priority is to protect the health and safety of those in care. CACFP Sponsors (and monitors in multi-site organizations) must exercise judgment in making a determination of an imminent threat. ODE CNP encourages sponsors to establish written standards to help staff (and monitors in multi-site organizations) measure the severity of a health or safety threat and procedures to follow when a determination of imminent threat has been made.

Training for staff (and monitors in multi-site organizations) on this topic is recommended, as well. Two resources:

- [Caring for Our Children](#)
- [Stepping Stones to Caring for Our Children](#)

These are companion resources that provide additional guidance on managing, reporting, and documenting incidents of imminent threat. They recommend that child care facilities have written plans for reporting, managing, and training staff on what they determine to be incidents that threaten the health, safety, or welfare of children, staff, or volunteers. While these two resources address children specifically, the information provided can be referenced for participants in care in all centers participating in the CACFP.

Caring for Our Children and *Stepping Stones to Caring for Our Children* identify a number of circumstances that rise to the level of imminent threat, including:

- Lost or missing participant

- Suspected maltreatment of a participant
- Suspected sexual, physical, or emotional abuse of participants, staff, volunteers, visitors or family members occurring while they are on the premises of the care facility
- Injuries to participants requiring medical or dental care
- Illness or injuries requiring hospitalization or emergency treatment
- Mental health emergencies
- Health and safety emergencies involving parents or guardians and visitors to the care facility
- Death of a participant or staff member (including a death that occurred outside of center or home care hours that had resulted from serious illness or injury at the care facility)
- The presence of a threatening individual who attempts or succeeds in gaining entrance to the facility

If, for these or for any other reason, a staff member (or monitor in multi-site organizations) determines that a participant is in imminent danger, the staff member (or monitor in multi-site organizations) must call the proper authorities immediately and stay at the site until authorities have arrived.

Sponsor staff (and monitors in multi-site organizations) must understand that their response to imminent threats to the health and safety of participants in the CACFP should be applied consistently and fairly. The health and safety of those in care must be the overarching goal. Wherever there is a situation in CACFP involving a health or safety threat, ODE CNP expects Sponsor staff (and monitors in multi-site organizations) to respond to the problem when they see it. This does not mean, however, that every licensing violation is an imminent threat to health and safety, or that State agencies may require CACFP sponsors to monitor for licensing agencies.

Required ODE CNP Action

During Sponsor administrative reviews and site reviews ODE CNP Child Nutrition Specialists must take immediate action and follow the requirements for suspension of an independent institution's participation, for reasons of health or safety [7 CFR 226.6(c)(5)(i)]. See [Chapter 20 Audits, Administrative Reviews & Serious Deficiencies](#) for further information on Program suspension.

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Section A – New Applicants: Getting Started in the CACFP

The CACFP is a voluntary, Federally-funded program. By agreeing to participate, Sponsors accept final administrative and financial responsibility for the operation of the program according to Federal and state laws, regulations, and policies.

To participate in the CACFP, Sponsoring organizations must sign a *State Agency-Sponsor Agreement* and submit all required information. ODE CNP reviews forms and documentation to determine if Sponsoring organizations have the financial viability, organizational capability, and internal controls for accountability to successfully operate the CACFP. This section provides an overview of the necessary steps for Sponsoring organizations to complete the initial application.

The Five-Step Application Process

After a potential applicant contacts ODE CNP to determine initial eligibility, the applicant must successfully complete the following steps in the application process to become a Sponsor in the CACFP:

Step 1: Screening

Step 2: Training

Step 3: Application

Step 4: Pre-Approval Review

Step 5: ODE CNP approves or denies application

Step 1: Preliminary Application

After a potential applicant has contacted ODE CNP regarding how to become a Sponsor in the CACFP, they will be connected with a Program Analyst who will gather initial information to determine if the potential applicant may qualify to participate in the CACFP. If the initial screening determines that the potential applicant may be qualified for participation, the potential applicant will be assigned to a Program Analyst for the application process. Current National School Lunch Program (NSLP) and Summer Food Service Program (SFSP) sponsors in good standing are not required to submit a preliminary application.

Step 2: Training

The Program Analyst will provide the applicant instructions for taking the online, webinar-based ODE CNP New Applicant Trainings. The training covers basic CACFP requirements

It is important that the organization officials who will have the ultimate authority to administer the CACFP take the New Applicant Training. (Example: Sponsor's CACFP director and/or chief officer). All For-Profit owners must take the New Applicant Training. Other program staff members who have CACFP responsibilities may take the ODE CNP training, although this is not required.

Step 3: Application

Once training is completed, the potential applicant will be assigned a Child Nutrition Specialist who will provide the applicant with the full online and off-line application instructions and location of required documents.

Additionally, applicants are directed to the following forms to get them started on record keeping:

- *CACFP One Month Enrollment Roster*

- *Child Enrollment Forms (CEFs)*
- *Confidential Income Statements (CIS)*
- *Meal Count forms*
- *Sample Menu Form*
- *Combination Food Recipe Form with instructions*
- *Combination Food Recipe Form*
- *Medical Statement for Food Substitutions*
- *Infant Records*
- *Site Monitoring Report form (if multi-site)*
- *Civil Rights*
- *Racial Ethnic Data Collection*

The assigned Child Nutrition Specialist will work with the applicant to complete all required online and off-line application materials. The following official forms must be completed and submitted to ODE CNP (The forms listed below are located on the [CNPweb website](#) packet page):

- *State Agency-Sponsor Agreement*
- *Management Plan for Center Sponsors*
- *Budget for Center Sponsors*
- *Outside Employment Policy*
- *CNPweb User Authorization Request & Certification Form(s)*
- *CNPweb Add Site/Modify Site Form(s)*
- *CNPweb New Sponsor Information Form*
- *One Month Menu*
- *Other forms as required*

Additional information required for application:

- Women, Infants and Children (WIC):
 - WIC is the Special Supplemental Nutrition Program for Women, Infants and Children. This public health program is designed to improve health outcomes and influence lifetime nutrition and health behaviors in a targeted, at-risk population. Nutrition education is the cornerstone of the WIC Program. The [Oregon WIC Program](#) is part of [The Center for Prevention and Health Promotion](#). Sponsors, **except At-Risk, Homeless, Adult, and Outside School Hour**

Child Care Centers, are required to make the following WIC information available to the parents/guardians of all enrolled children:

- Importance and benefits of WIC
- WIC income eligibility guidelines
- Sponsors may meet the above requirement by distributing the Oregon WIC brochure: [WIC: Healthy kids, healthy foods, healthy families](#); available in various languages and can be accessed on the WIC website.
- Information on WIC and WIC income eligibility guidelines is available on the [WIC website](#)
- Building for the Future Flyer:
 - All Sponsors, **except Adult Day Care Centers**, are required to post the “[Building for the Future](#)” flyer in a prominent location at all approved CACFP site locations, including administrative offices. This flyer, which is in English and Spanish, must be posted where participants and potential participants have ready access. The purpose of the flyer is to notify parents, guardians and participants of the sponsor’s participation in the USDA CACFP, the program benefits, and who to contact with concerns. Posting this flyer is a requirement under the Federal CACFP regulations. ODE CNP staff will check to see if the flyer is posted in a prominent location while conducting CACFP administrative reviews. Contact Oregon Department of Education Child Nutrition Programs at (503) 947-5894 to obtain copies of the flyer. Translated posters available in Chinese, Russian, and Vietnamese as well.
- Federal IRS non-profit status letter for 501(c)(3) status. If the organization is a religious organization, it must have the IRS non-profit status letter and a letter from a sponsoring religious organization stating that the child or adult care program is a part of the mission of the local church.
- For-Profit Sponsors must submit an eligibility certification (See [Chapter 18 For-Profit Programs](#))
- Minority and grassroots contacts
- Vended Meal Agreement—if meals are contracted from a food service management company, school district, or other vendor (See [Chapter 14 Procurement](#))
- Oregon [Office of Child Care \(OCC\)](#) licenses for each site or, if exempt from OCC licensing, documentation exemption and documentation of current satisfactory inspections from local health and fire departments

Completing the Management Plan and Budget

An important part of the application is the Management Plan and Budget for CACFP. The Management Plan is required by federal regulations and assists ODE CNP to determine if the Sponsor is financially viable, accountable, and capable. The ODE CNP Management Plan requires detailed information about a Sponsors administrative structure including the following:

- Sponsor Information
- Financial Viability and Financial Management
- Administrative Capability including:
 - Positions/titles of staff assigned to CACFP functions

- Program Accountability including:
List of Board of Directors (required for private Non-Profit organizations)
- Certification that officers, Responsible Individuals, or owners (as applicable) do or do not have a business-related criminal record
- Organization's CACFP procedures and forms
- CACFP administrative budget

Application Review by ODE CNP

The assigned Child Nutrition Specialist will review the application for completion and for compliance with regulations and policies. Further information or clarification may be requested. If the application meets regulatory requirements and is approved by ODE CNP, a pre-approval visit will be scheduled. If an application is not completed in a timely manner or does not demonstrate the applicant's ability to operate the CACFP, the application will be denied.

Step 4: Pre-Approval Review

Once accurate and complete application materials are received, a specialist from ODE CNP will make an appointment to review the Sponsor's operation prior to final approval.

Applicants must implement all meal and record keeping requirements prior to the pre-approval visit or approval of the application will be delayed or denied. The pre-approval review will include:

- Determination that facilities are viable for the type and number of meals for which the applicant requested approval
- Meal observation to ensure that food components, serving sizes, and meal service meet CACFP requirements
- Check of CACFP records and systems
- Compliance assessment of Civil Rights requirements
- Check for implementation of Management Plan as submitted
- Technical assistance, as needed, to improve program quality

Step 5: ODE CNP Approves or Denies the Application

After the Pre-Approval visit, ODE CNP will either approve or deny the applicant's application. If approved, the applicant will now be a CACFP Sponsor and ODE CNP will provide technical assistance on submitting monthly claims through ODE CNP's online system, [CNPweb](#).

Denial of participation in the CACFP is an appealable action. If ODE CNP determines that an application is denied, the applicant will be provided with the [Child and Adult Care Food Program APPEAL PROCEDURE 7 CFR 226.6\(k\)](#)

New Applicants with Five (5), or more, Sponsored Sites at Application

New institutions that are sponsoring organizations of five (5), or more, sites at the time of application must have a full administrative review within ninety (90) days of the date of approval to begin operation of the CACFP. See [Chapter 20 Audits, Administrative Reviews & Serious Deficiencies](#) for information on the Administrative Review process.

Section B – Renewals

Renewals

ODE CNP sends an application renewal packet and instructions to each Sponsor prior to the beginning of each fiscal year. CNPweb “rolls over” to the next fiscal year on October 1st of each year. The CACFP operates on the Federal fiscal year that begins on October 1 and ends September 30. Failure to submit a complete and correct renewal application by the deadline may result in delay or disruption of reimbursement, or ultimately in termination of the *State Agency-Sponsor Agreement*. The deadline for submitting renewal applications is published annually.

See the [CACFP USDA/ODE Memos webpage](#) for the most current renewal memos and instructions.

Section C – Sponsor Name Change

Sponsors that change their business entity name are required to complete and submit:

- Sponsor Name Change form
- Two (2) new, signed *State Agency—Sponsor Agreements* (see Packet page of the Sponsor Summary in CNPweb)

Non-Profit Sponsors

Non-profit Sponsors must also submit a revised IRS 501 (c)(3) status letter from the Internal Revenue Service showing the new business entity name. If the business entity address has changed in addition to the name change, the IRS 501(c) letter must also show the correct, current address.

For-Profit Sponsors

For-Profit Sponsors who will also have an ownership change in addition to the business entity name change must contact their assigned specialist for additional requirements. Also see [Chapter 18 For-Profit Programs, Section D Change in Ownership](#).

Section D – Safety and Sanitation Approval for Sites

All sites participating in the CACFP can qualify by one of the following methods:

1. Maintaining a current Oregon Office of Childcare (OCC) Certificate or OCC exempt; *or*
2. Obtaining/maintaining current Approval from another Federal, State or local government entity; *or*

3. Completing CACFP Alternate Approval requirements

Please refer to the descriptions below and the enclosed CACFP Site Approval Decision Flowchart at the end of this chapter to determine the appropriate method by which to qualify sites.

Oregon Office of Childcare Certification

All sites that are required by law to be OCC-licensed **or OCC-recorded** must have a current OCC certificate to receive CACFP reimbursement. For Oregon Office of Childcare requirements, please contact the Oregon Office of Childcare at 1-800-556-6616 or (503) 947-1400.

Programs that believe they are OCC-license **or OCC-recorded** exempt must contact OCC to verify their exempt status. If the program is determined to be OCC-license **or OCC-recorded** exempt, they must obtain written confirmation from OCC of the exempt status.

For more information about OCC visit the [OCC webpage](#).

Other Federal, State or Local Approval

Some sites, while exempt from OCC licensing **and recording**, have government oversight. Some of these sites may qualify for CACFP if the site is exempt from Oregon Office of Childcare licensing **and recording**, and is approved by one of the following entities:

- Federal Head Start approval
- Oregon Department of Education (ODE) Pre-Kindergarten approval
- Federal or State-approved Even Start programs
- School district operated child care or afterschool programs.

Note: If a school district sponsors a non-school district operated site, such as a Boys and Girls Club, that site must meet the CACFP Alternate Approval requirements or qualify by one of the other methods on this list.

- ODE-approved 21st Century School programs during the funding period.
- Oregon Department of Human Services license for a Child-Caring Agency that provides non-residential day treatment for children *
- Tribal approval – Some Oregon tribes have an approval process that may meet the Federal requirements. For more information on approval of tribal sites please contact your assigned Specialist.
- ODE-approved special education preschools

*A copy of the approval or certificate for these sites must be submitted with new site applications and annually with CACFP renewal materials.

Alternate Approval

The OCC license-exempt sites and sites qualifying under “Other Federal, State and Local Approval” must meet at least one of the following exclusion criteria:

- Are primarily educational and provide care to children 36 months old or older, but not yet attending kindergarten, for less than four hours a day.
- Are primarily supervised, child-focused training in a specific subject, including, but not limited to, dancing, drama, music, or religion. This exclusion applies only to the time children are involved in training. **These activities, if not operated by a school district, are required to be OCC recorded.**
- **Are primarily incidents of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group. This exclusion applies only to the time engaged in the group athletic or social activities and if the children can come and go as they please. **These activities, if not operated by a school district, are required to be OCC recorded.****
- Are operated by a school district, political subdivision of this state, or a government agency, or
- Are operated on an occasional basis by a person, sponsor, or organization not ordinarily engaged in providing child care.
- Operate as a parent cooperative for no more than four hours a day; or
- Provide care while the child's parent remains on the premises and is engaged in an activity offered by the facility or in other non-work activity.

ODE CNP's alternate approval process requires documentation of a satisfactory sanitation inspection and a current satisfactory fire/safety inspection at each feeding or serving site. The dates of each inspection type will be recorded in the individual site information sheets in CNPweb and updated upon the completion of each new inspection.

Sanitation inspections must be conducted annually. Fire inspections must be conducted every two years. Sponsors are responsible for requesting and paying for all inspections and re-inspections, if re-inspection is necessary. Use the [Sanitation Inspection form](#) request the annual sanitation inspection for all sites.

Sanitation Inspections

Food service safety and sanitation is a critical element of the CACFP. Children under five years old are especially susceptible to food-borne illnesses because their immune systems are not fully developed. The CACFP also serves disabled and frail elderly adults who are more vulnerable to food borne illness than their healthy peers.

The local (county) Environmental Health Department or the Oregon Department of Human Services, Environmental Health Field Services Unit will conduct the sanitation inspections. An optional [Facility Food Service Safety Sanitation Evaluation Report](#) for use in facilities exempt from Oregon Office of Childcare licensing is available at the link provided. At a minimum, the sanitation inspection will determine if a site is in compliance with State Food Code law in the following areas:

- Foods obtained from approved sources
- Potentially hazardous foods stored/prepared/held/served at proper temperatures
- Leftovers properly cooled
- Dishwashing facilities adequate for washing, rinsing, and sanitizing
- Hand washing sinks available in the food service area and supplied with hand soap and paper hand towels

- Personal hygiene practices of food service staff
- Other sanitation issues including a safe water source, vector controls, chemical storage, refuse disposal, and sewage disposal
- Kitchen/food prep area sanitary

Sites that have one or more critical violations will be scheduled for a re-inspection visit by the health department that conducted the original sanitation inspection. Sponsors are responsible for working with their sanitarian/inspector to correct critical violations. Sites currently participating in the CACFP must correct violations and have a current, satisfactory food safety and sanitation inspection to be approved as CACFP feeding or serving sites.

Sponsors requesting to add new sites or new Sponsors seeking approval to operate the CACFP at new sites with uncorrected critical violations after re-inspection will be denied approval to participate for those sites

Fire Inspections

Sponsors must provide documentation of a current satisfactory fire/safety inspection at all feeding and serving sites. Fire and building safety inspections must be current (within the past 24 months from date of submission) and must be satisfactory (have no uncorrected violations). The local Fire Department conducts fire/safety inspections. Sponsors are responsible for working with the fire inspector to correct any fire/safety violations.

Section E – Program Closure

Sponsors may choose to close their State Agency-Sponsor Agreement at any time. Sponsors must provide the closure notice in writing; via email or letter. The notice should include the last date of operation and last claim date.

The reasons for closing an agreement are varied and ODE CNP will work with a Sponsor to assist them in this process. Please contact your assigned Child Nutrition Specialist as early in the decision process as possible. This will allow sufficient time to provide you with any technical assistance that may be necessary to allow the process to move forward in a timely manner.

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CHAPTER 3 ELIGIBILITY DETERMINATION

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Sponsors are required to determine participants Free, Reduced-Price or Above Scale eligibility annually. This is based on Federal guidelines.

This chapter applies to Child Care Centers, Outside School Hours Centers, Adult Day Care Centers, and Head Start Sponsors (Oregon Head Start and OHS Pre-K) that are **claiming sibling and/or community slot meals**. See [Chapter 17 Head Start](#) for further instructions.

This chapter does not apply to Afterschool At-Risk Meals & Snacks sites or to Homeless and Emergency Shelter programs.

Section A – Determining the Eligibility Category: Free, Reduced-Price, or Above Scale

Each July 1 the Federal government sets the income guidelines for determining the following eligibility categories: Free, Reduced-Price, and Above-Scale. The guidelines are based on household income and household size. Low-income households meeting Federal guidelines are categorized as eligible for “Free”. Households with slightly higher income are categorized as eligible for “Reduced-Price”. Households with incomes above the Reduced-Price guidelines are categorized as eligible for “Above-Scale”.

Sponsors will determine which eligibility category participants are by using one of the following types of eligibility documentation. Each type of documentation is described in more detail below:

- Household income
- Categorical eligibility: TANF, SNAP, FDPIR
- Automatic eligibility: Head Start, Even Start, Migrant, OHS Pre-K
- Other shared CNP sponsor eligibility documentation (see [Confidentiality](#) below)
- School district eligibility documentation
- Supplemental Security Income (SSI)—Adults, only
- Medicaid/Oregon Health Plan—Adults, only

Confidential Income Statements

The Sponsor must distribute [Confidential Income Statements \(CIS\)](#) and the Letter to Households to all participants at the time of enrollment and annually, thereafter. Adult Day Care Program Sponsors see [Chapter 21 Adult Day Care](#) for exceptions to this requirement.

The Sponsor then collects those CIS that are voluntarily returned by parents/guardians or participants. The CIS that have been returned are reviewed by Sponsors and an eligibility determination is made based on the information provided for current the participant(s) listed on the CIS.

The Sponsor must keep all completed CIS forms and other Free or Reduced-Price eligible documentation on file. These documents will be used to develop the One Month Enrollment Roster (OMER). See [Chapter 4 The One Month Enrollment Roster](#) for more information on OMER.

Other Allowable Eligibility Documentation

The following participants may be classified in the Free category without a CIS form on file:

- Participants who are enrolled Head Start or Oregon Head Start Pre-K (OHS Pre-K) for the current school year with a written statement/letter from the Head Start or OHS Pre-K certifying the child's enrollment in Head Start/OHS Pre-K.
- Participants in Even Start programs with a written statement/letter from the Even Start program certifying the child's enrollment in Even Start.
- Participants living in households where a school-age member receives free meals at school either through direct certification or income application with a written statement/letter from the school district certifying the student's free-meal qualification.
- Migrant children are automatically free with documentation of their migrant status from a school district or other government agency.
- Participants who are homeless or at risk of homelessness as determined by a school district's homeless coordinator or other community homeless liaison makes a determination of homelessness and provides a list of all participants determined homeless.
- Foster children with documentation from an appropriate State or local agency indicating the status of the child as a foster child whose care and placement is the responsibility of the State or that the foster child has been placed with a caretaker household by a court. See the [foster child](#) section in this chapter for more information.

School District eligibility documentation: A school district may provide a letter or other written statement providing the eligibility determination made by the school district for enrolled students. This documentation may be used by CACFP Sponsors in place of collecting CIS from the families listed in the school district documentation.

Community Eligibility Provision (CEP): Sponsors that operate child care sites located in schools on CEP must distribute, collect and approve CIS forms for enrolled participants

Direct Certification Eligibility Notification Letters: School districts send letters of eligibility for free meals to families who qualify based on a process called Direct Certification. If a parent or guardian presents a sponsor with a Direct Certification letter, the sponsor may make a copy and retain it on file in place of having the parent/guardian complete a CIS form.

If a sponsor has questions regarding any other eligibility documentation submitted by a parent or guardian, please contact your assigned Child Nutrition Specialist.

Note: If a household is receiving Employment Related Day Care (ERDC), a CIS form is required because the household does not automatically qualify as Free-eligible.

Adult Participants: See [Chapter 21 Adult Day Care](#) for other allowable eligibility documentation.

Eligibility for Free Meals in a Disaster

Children Experiencing Homelessness in a Disaster: Children residing in, or evacuated from, disaster areas may be determined homeless under the McKinney-Vento Homeless Assistance Act. These children are automatically eligible for free meals in the Child Nutrition Programs. A school district's homeless coordinator or other community homeless liaison makes a determination of homelessness and provides a

list of all children determined homeless due to a disaster situation. The Sponsor must certify these children for free meals.

In cases where a household from a designated disaster area moves in with another household, the community homeless liaison may determine the displaced individuals homeless under the McKinney-Vento Homeless Assistance Act. Displaced children and adult participants in CACFP are automatically eligible for free meals in centers even if they are temporarily residing with another family. The host family may include the displaced family members and any income provided to them when applying for Free or Reduced- Price eligibility.

Sponsors that require eligibility information can receive certification of the participant's homeless status from the agency that assisted with the evacuation or that is providing shelter. If the child is not residing in an emergency shelter, the Sponsor should have an adult living with the child complete an income eligibility form indicating that the child is homeless. No further information is required to certify the child's eligibility.

Disaster Benefits from the Supplemental Nutrition Assistance Program: Children in households receiving Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits are categorically eligible for free meals in the Child Nutrition Programs. Certification of these children may be accomplished through direct contact with the SNAP agency or by an application submitted by a household with a case number.

Duration of Eligibility: Children certified for free or reduced price meal benefits because of a disaster situation remain eligible for free meal benefits for 12 months.

Eligibility Categories

Eligibility categories determine reimbursement rates for meals. The household eligibility category is determined by having the household complete a [Confidential Income Statement \(CIS\)](#). The Sponsor's unique reimbursement rate is determined by the number of participants in each eligibility category. Sponsors receive:

- The highest reimbursement for meals served to participants approved in the Free category;
- Slightly less reimbursement for meals served to participants approved in the Reduced-Price category; and
- The lowest reimbursement for meals served to participants approved in the Above-Scale category.

How long is the CIS valid?

The CIS must be updated annually and eligibility is valid for only 12 months. The CIS is considered current and valid until the last day of the month in which the form was dated and signed by the Sponsor's approving official one year earlier (e.g., a CIS signed and dated by a sponsor on January 12, 2018, is considered valid until January 31, 2019).

Most Sponsors find it easiest to collect new CIS forms from households in July or August when ODE CNP issues the new Federal income guidelines, the CIS forms and the Letter to Households for the new fiscal year.

Sponsors distribute and collect CIS forms and the Letter to Households through October 31 to ensure all

CIS forms voluntarily returned by parents/guardians or participants are approved, signed and dated by the Sponsor's Eligibility Official by October 31.

Sponsors have flexibility concerning the effective date of certification for CIS. The eligibility date to be used may be either the date the parent or guardian signed the income eligibility form or the date on which the sponsor signs the form to certify eligibility of the participant. However, if the date of parent signature is not within the month of certification or the immediately preceding month, the effective date must be the date of certification. This flexibility applies only to complete applications containing all required information at the time of submission.

Sponsors must decide which date they will rely on as the effective date and apply this date to all income eligibility forms submitted on behalf of all participants in all sponsored homes.

This eligibility duration determination method applies to day care centers, and should be used to assess the expiration of a CIS in all situations

CIS submitted with "Zero" Income

When a household submits a CIS with "zero" income entered in Section 4, by either entering "0", or leaving the section blank, and does not provide a current Supplemental Nutrition Assistance Program (SNAP) or TANF (Temporary Assistance for Needy Families) case number or an indication that the household receives FDPIR benefits, sponsors may approve the CIS in the Free category. "Zero" income CIS forms are valid for 12 months from the date the Sponsor's Eligibility Official signs and dates the form.

Confidentiality

All information on the CIS is confidential. Sponsors must have systems to ensure that no one is allowed access to these documents other than authorized Sponsor representatives, ODE CACFP authorized staff or auditors, and USDA staff.

Child Nutrition Program (CNP) Sponsors may share eligibility determination information with other CNP Sponsors. ODE CNP recommends that sponsors develop a policy regarding when they will share eligibility information with other CNP Sponsors. Sponsors should have a written procedure regarding the process for the transfer of the information to another CNP Sponsor.

Information contained on the CIS may not be disclosed to any person or program that is not a CNP Sponsor without signed authorization from the adult household member. Prior to disclosing any information, contact your Child Nutrition Specialist.

For-Profit Centers Using Free/Reduced-Price Eligibility

For-Profit centers are required to validate that in the month preceding initial application or reapplication and each month thereafter they qualify to claim meal reimbursement at each approved site that meets the 25% Eligibility criterion. See [Chapter 18 For-Profit Programs](#) for more information on the 25% Eligibility criterion.

Pricing Programs

Pricing programs must collect CIS forms from participants throughout the year. See [Chapter 24 Pricing Programs](#) for more information on eligibility determination requirements for Pricing Programs.

Head Start Programs Claiming Siblings and/or Community Slots

Head Start Programs that plan to claim sibling and/or community slot meals must create a One Month Enrollment Roster ([OMER](#)) for each ODE CNP approved site that will be claiming such meals. In order to create an OMER for these sites an eligibility determination must be made for each sibling and/or community slot participant.

Siblings: Siblings of Head Start-enrolled children are not automatically eligible for free meals. If a Head Start Program will be claiming meals for siblings of Head Start enrollees, then Head Start programs must distribute *CIS* and Letters to Households to each family with siblings whose meals will be claimed for reimbursement. Head Start Programs will then collect all *CIS* voluntarily submitted by parents/guardians. The *CIS* that have been returned are reviewed by Sponsors and an eligibility determination is made based on the information provided for the sibling participant(s) listed on the *CIS* during the month of October. Any sibling participants who do not have a Sponsor-approved *CIS* on file will be considered to have an eligibility determination of Above Scale.

Community Slots: Some Head Start Sponsors claim meals for participants whose slot is paid for by a funding source other than Head Start or Oregon Pre-K. *If this is the case, the participant is not automatically eligible for free meals. Sponsors must distribute CIS and Letters to Households to these families.*

Head Start Programs will then collect all *CIS* voluntarily submitted by parents/guardians of community slot participants. The *CIS* that have been returned are reviewed by Sponsors and an eligibility determination is made based on the information provided for the community slot participant(s) listed on the *CIS* during the month of October. Any community slot participants who do not have a Sponsor-approved *CIS* on file will be considered to have an eligibility determination of Above Scale.

Section B – Distributing and Completing Confidential Income Statements

Sponsors may choose not to distribute or collect *CIS* forms from participants, and claim all meals in the Above-Scale category. Sponsors that claim one or more participant in the Free or Reduced-Price categories must follow the steps below:

Distributing the CIS and Letter to Households

ODE CNP updates the [CIS and Letter to Households](#) annually after receiving the new form requirements from USDA. The update occurs every July 1. The updated form and letter are posted on the ODE CNP website and Sponsors are notified of the update.

Sponsors must distribute current *CIS* forms and the *Letter to Households* to all enrolled participants at enrollment and annually, thereafter, unless exempt as noted at the beginning of this chapter. ODE CNP does not have a specific requirement for the date of the annual renewal of eligibility for all enrolled participants. Sponsors may determine the schedule for distribution of new *CIS* and *Letters to Households* that best suits their operation.

Distribution of the new forms sometime during the period of July-September each year may help ensure that a Sponsor has the maximum number of *CIS* returned by parents/guardians or participants to allow Sponsor eligibility determination and approval by October 31. *CIS* must be approved, signed and dated by the Sponsor eligibility official no later than October 31 of each year to be valid for the October [One Month Enrollment Roster \(OMER\)](#).

The current *CIS* forms and *Letter to Households* in both English and Spanish can be found on the [Child Nutrition web site](#).

The forms have been translated into many other languages that can be obtained on the [USDA web site](#).

Parents/ guardians or adult participants should complete and return the *CIS* form to the Sponsor. If the *CIS* form is not completed and returned by the household, the Sponsor must categorize the participant Above-Scale.

Note: The *Letter to Households* provided to each parent/guardian or participant does not need to be collected, they are only for informational purposes to the households informing them of program benefits.

As new participants enroll, Sponsors must include the *CIS* form *and* the *Letter to Households* as part of the enrollment material. When Sponsors approve a new *CIS*, the expired form should be filed in an "Inactive *CIS*" folder or other filing location. All expired forms must be retained for three years plus the current fiscal year.

Completing CIS Forms and Determining Eligibility

Only completed and Sponsor-approved *CIS* forms are valid. Completion of Section 6, Racial or Ethnic Group is optional and households are not required to complete this portion. A complete *CIS* includes all of the following information for each of the three eligibility types:

Categorical Eligibility

CIS are approved based on the household providing a case number for SNAP, or TANF, or an indication the household receives Food Distribution Program on Indian Reservations (FDPIR) benefits:

- Participant(s) first and last name
- Type of benefits received (SNAP or TANF) with current case number or an indication that the household receives FDPIR benefits
- Name and signature of adult household member or signature of adult participant
- Date signed by adult household member or adult participant
- Eligibility reason used to approve the *CIS*
- Approved eligibility category
- Signature and date of Sponsor Official determining eligibility

Income Eligibility

CIS are approved based on household income and current [Federal income guidelines](#):

- Participant(s) first and last name
- Names of all household members*

*The household may choose to consider any foster children placed in their care as part of the household, or not. If the foster child(ren) are not included as part of the household, the parent/guardian must provide

appropriate documentation verifying the status of the foster child(ren) or complete a separate CIS for the foster child(ren). (See [Foster Children](#) below)

- Household income by source listed individually by household member (Monies provided to the household for the care of a foster child(ren) are not listed as part of household income)
- Name and signature of adult household member or adult participant
- Date signed by adult household member or adult participant
- Last four digits of the Social Security Number (SSN) of adult household member or adult participant signing the *CIS*
- Eligibility reason used to approve the *CIS*
- Approved eligibility category
- Signature and date of Sponsor Official determining eligibility

Households receiving Family Subsistence Supplemental Allowance (FSSA), combat pay, or Deployment Extension Incentive Pay (DIEP) from the Department of Defense should not include the FSSA, combat pay, or DIEP in household income.

Foster Children

Foster children are categorically eligible for free meals if the sponsor obtains documentation from an appropriate State or local foster care agency or court indicating the status of the child as a foster child whose care and placement is the responsibility of the State or that the foster child has been placed with a caretaker household by a court.

Children formally placed in kinship care by a child welfare agency or a court also are eligible.

Note: Children *informally* placed in kinship care or with families who assume guardianship responsibilities that exist outside of State or court-based systems *are not* included.

Foster children may be considered part of the household and included on a *CIS* submitted by the household in which they have been placed by a state or local foster care agency or a court at the household's discretion.

If the household completes separate *CIS* for a foster child(ren), it must include:

- Participant(s) first and last name
- Participant's monthly personal use discretionary income. If a foster child does not receive "personal use" income, the parent/guardian must write "\$ 0." This income would be listed in Section 4, Column 5 on the *CIS* as Other Monthly Income.
- Signature and date signed by foster parent or caseworker
- Signature and date of Sponsoring Official determining eligibility

Households with more than one foster child may include all foster children residing in the home on a single *CIS*. Foster children who are siblings and reside in the same foster home may be included on the same

form. Do not include monies given to the household for care of the foster child in the foster child's income.

Adult Programs

Sponsors of Adult Day Care Programs, see [Chapter 21 Adult Day Care](#) for additional information on determining adult participant eligibility with *C/S*.

Section C – Approving Confidential Income Statements

Enrollment in a center or participation in CACFP cannot be contingent upon the parent/guardian or adult participant completing the *C/S*. Sponsors are not required to have a *C/S* for every participant and *parents/guardians or adult participants cannot be required to submit a C/S.*

When the Sponsor receives a completed *C/S* from a parent/guardian or adult participant, an eligibility official of the Sponsor must review, approve, sign and date in the appropriate space on the front of the form.

Only complete *C/S* forms containing all required information can be approved as Free or Reduced-Price-eligible. Refer to the current fiscal year Letter to Households for instructions on information required on the *C/S* from the household. Current forms can be found on the [Child Nutrition web site](#).

If a parent/guardian or adult participant chooses not to complete a *C/S* form or will not include the last four digits of the required Social Security Number (SSN), if required; or, check the box indicating the signer has no SSN, the Sponsor must classify the participant as Above-Scale.

Sponsor officials may not complete any part of the household section of a *C/S* for a parent/guardian or adult participant unless the parent/guardian or adult participant cannot read or write; has a disability and requires assistance; or, requests or requires Sponsor assistance to complete the *C/S* for any other reason identified by them.

Sponsor Approval Section

Sponsor officials approve the *C/S* following these steps:

1. Qualifying based on SNAP/TANF or FDPIR
 - a. If the household is qualifying based on SNAP/TANF or indicates they receive FDPIR, check the Free eligibility box and qualify *all* children in the household as having Free eligibility
 - b. Check either the SNAP/TANF or FDPIR box as the basis of the eligibility.
 - c. Sign and date the form.

2. Qualifying by Income
 - a. If the household is qualifying based on income, record the total monthly income. If the household records income as being received weekly, every two weeks, twice a month or yearly, convert the income to monthly. Use the conversion factors on the back of the *C/S* form to make the change.
 - b. Record the number of people in the household. Be sure all household members are listed on the form by name.

- c. Determine the correct eligibility category using current household income by month and size of household compared to the [Federal income guidelines](#). Qualify the family as Free, Reduced Price, or Above Scale by checking the appropriate box and check Household Income as the basis for the eligibility.
- d. Sign and date the form.

3. Qualifying Foster Children

- a. If the household is qualifying a foster child, record the foster child's personal discretionary income on Section 4, Column 5, Other Monthly Income. The personal-use discretionary income is the dollar amount, if any, the foster child receives for his/her own use. It is not the dollar amount provided to the foster family for the participant's care.
- b. If the foster child has no personal-use income, write 0.
- c. Qualify the foster child's eligibility as free and check the foster child box as the basis for the eligibility.
- d. Sign and date the form.

The Sponsor Approval Section includes a 2nd Check Initial line. Having all CIS forms reviewed by a second person is recommended. The individual completing the second review should initial in this section.

Section D - Common Errors That Can Be Costly

During announced or unannounced administrative reviews, ODE CNP staff will review *CIS* forms used to create the One Month Enrollment Roster (OMER) for completion and accuracy. If errors are found resulting in over-claims, the Sponsor may be required to return funds to ODE CNP.

ODE CNP will classify participants as Above-Scale when the following information is missing from the approved *CIS* on file:

- Income information for households *not* receiving SNAP, TANF, or FDPIR
- Last four digits of the Social Security Number of the person signing the *CIS* (or a checkmark that the signer has no SSN) for income eligibility *CIS* forms
- A valid SNAP or TANF case number for categorical eligibility *CIS* forms
 - Examples of a legitimate SNAP case number include: F00-00-0000 or 000-00-0000 or T00-00-A000
 - Examples of a legitimate TANF case number include: AB1234 or ABC123
- All household members not listed by name on income eligibility *CIS* forms. (Households may or may not include foster children when qualifying by income.)
- Signature of parent/guardian or adult participant, as applicable
- Date parent/guardian or adult participant signed the form

Other errors that may result in administrative review findings:

- Total income added incorrectly
- Number of household members added incorrectly
- Using an outdated form (from a previous fiscal year)
- Free, Reduced-Price, or Above-Scale category not checked by Sponsor
- Participant placed in the wrong eligibility category
- *CIS* not approved, signed, and dated by Sponsor Eligibility Official
- *CIS* signed by the Sponsor's Eligibility Official more than 12 months ago
- Parent/guardian or adult participant was not given a copy of the *Letter to Households*
- Lost or otherwise missing *CIS* forms not on file for participant categorized as Free or Reduced-Price eligible

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CHAPTER 4 THE ONE MONTH ENROLLMENT ROSTER (OMER)

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This chapter does not apply to Afterschool At-Risk Meals & Snacks sites and Homeless and Emergency Shelter programs.

This chapter applies to Head Start Sponsors (Oregon Head Start and OHS Pre-K) that are **claiming sibling and/or community slot meals**. See [Chapter 17 Head Start](#) for further instructions.

Section A – The Percentage Reimbursement Method

ODE CNP uses the percentage reimbursement method to determine Sponsor's unique reimbursement rate. Meal reimbursement is based on each Sponsor's percentage of Free, Reduced-Price and Above-Scale participants who are enrolled during the month of October.

Each Sponsor's unique percentages are calculated by ODE CNP, based on the One Month Enrollment Roster (OMER) submitted on the October reimbursement claim in CNPweb. The OMER percentages are in effect for the entire fiscal year. For most Sponsors, October's enrollment is representative of enrollment patterns for the rest of the year.

Occasionally enrollment patterns change markedly after October, resulting in a significant difference in the percentages upon which reimbursement is based. In those cases, Sponsors may request permission in writing to submit a new OMER. If granted, ODE CNP will use the updated data from that new OMER month forward, to calculate the percentages that determine reimbursement. Sponsors must submit requests in writing to their ODE CNP assigned Specialist.

Section B – Developing the One Month Enrollment Roster

The OMER specifies the number of center participants in each eligibility category that were enrolled in the report month. The OMER must include all enrolled center participants, including infants and drop-ins. Sponsors are required annually to use October as an OMER month and must fill in the OMER numbers on the October reimbursement claim in CNPweb. After the October reimbursement claim is submitted, the on-line claiming system "locks in" the October OMER numbers for the rest of the Program year unless the Sponsor is approved to use revised numbers.

Infants

Child Care Centers that have infants in care during the report month must include them in the OMER, even if the parent/guardian has declined the center provided food and formula.

Records Needed to Develop the OMER for Each Approved Site

- [CACFP One Month Enrollment Roster](#) capture participant's name and eligibility category designation--Free, Reduced-Price or Above-Scale--for the OMER month. These are required forms.*

***Note:** Sponsors who use an electronic database system capable of creating a CACFP Child or Adult Enrollment Roster may request approval to utilize an alternate roster form. Sponsors must submit a copy of the proposed roster form to their assigned Specialist for approval *prior to use*. Roster forms should be in Excel, and must include all data elements contained in the ODE CNP form.

- Enrollment documents from each site for the OMER month--usually October. (See [Chapter 5 Enrollment, Attendance & Meal Count Records](#) for requirements for each program type)

Note: Outside School Hours Centers (OHSC) will use the Sponsor's own enrollment documents to determine participants to be listed on the roster.

Approved *CIS* forms or approved alternate eligibility documentation (See [Chapter 3 Eligibility Determination](#) for additional information on eligibility documentation)

Create a CACFP Child or Adult Enrollment Roster

1. Collect all required documents based on site type.
2. Create the [CACFP One Month Enrollment Roster](#) by following the instructions on the Instruction sheet of the OMER.

Note: Outside School Hours Centers (OHSC) will use the Sponsor's own enrollment documents to determine participants to be listed on the roster.

3. Check to make sure the Enrollment Roster does not include participants who did not have enrollment documents on file with the Sponsor in the OMER month.
4. Mark the appropriate eligibility category box for each participant on the Enrollment Roster (Free, Reduced-Price, Above-Scale) based on their complete, accurate and approved *CIS* or approved alternate eligibility documentation.
5. Mark participants who do not have a complete, accurate and approved *CIS*, or approved alternate eligibility documentation in the Above-Scale category.
6. Note the date the *CIS* was signed by the Sponsor official or the date on approved alternate eligibility documentation in the column headed "Sponsor Official *CIS* Determination Date."
7. The CACFP One Month Enrollment Roster forms will automatically total the Free, Reduced-Price and Above Scale eligible participants in the One Month Enrollment Roster (OMER) block at the top of the form.
8. Double-check the Enrollment Roster for accuracy.
9. Save the OMER electronically.

Head Start programs see [Chapter 17 Head Start](#) for additional information on the OMER.

Adult Programs see [Chapter 21 Audits, Administrative Reviews & Serious Deficiencies](#) for additional information on the OMER.

***Note for Multi-site Sponsors:** If a participant attends more than one site during the OMER month, the participant should be included on the CACFP One Month Enrollment Roster for one site, only. The Sponsor may choose which site's CACFP One Month Enrollment Roster will include the participant's name.

Report the OMER

For currently participating programs:

- Report the numbers totaled for each category (Free, Reduced-Price and Above-Scale) in the OMER block on the CACFP One Month Enrollment Roster on the October CNPweb Site Claim under: **Center Operating and Enrollment Data (Must reflect the claiming period)** in fields 1-4.
- For months other than October, CNPweb will enter the numbers as recorded on the October Site Claim.

For new programs:

- Report the numbers totaled for each category (Free, Reduced-Price and Above-Scale) in the OMER block on the CACFP One Month Enrollment Roster for the first approved month of operation on the CNPweb Site Claim under: **Center Operating and Enrollment Data (Must reflect the claiming period)** in item numbers 1-4.

Section C – Common Errors That Can Be Costly

During administrative reviews, ODE CNP will reconstruct the OMER from enrollment records; the CACFP One Month *Enrollment Roster*; and a review of *CIS* forms and alternate eligibility documentation. The following are some errors that will require ODE CNP to adjust the OMER, which may affect the amount of reimbursement.

- Counting a participant who was not enrolled in October in the OMER
- Not counting all participants (including infants and drop-ins) who were enrolled in October
- Not having complete, current enrollment documents for all participants
- Not having a correctly completed and approved *CIS* form or other alternate eligibility documentation for each participant counted in the Free or Reduced-Price categories
- Using *CIS* forms that were signed by the Sponsors eligibility official more than 12 months before the OMER month
- Incorrectly recording the eligibility category on the *CIS* form or on the CACFP Child Enrollment Roster
- Incorrectly transcribing the totals for Free, Reduced-Price and Above-Scale eligible participants from the OMER block on the CACFP One Month Enrollment Roster to the CNPweb site claim for an approved site.
- Not creating an OMER annually and reporting the previous fiscal year's numbers for the report month

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CHAPTER 5 ENROLLMENT, ATTENDANCE & MEAL COUNT RECORDS

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Attendance Record Requirement

Section A — CACFP Child Enrollment Form

Note: This section does not apply to Outside School Hours Care Centers (OSHCC), Afterschool At-Risk Meals and Snacks programs, Homeless and Emergency Shelters and Adult Day Care Programs.

A completed CACFP Child Enrollment Form is required for every child in care, including Head Start programs, infants and drop-in children. Meals may not be claimed for CACFP reimbursement without a complete and current CACFP Child Enrollment Form on file. Sponsors are required to use the ODE-developed [CACFP Child Enrollment Form](#)

CACFP Child Enrollment Forms must be completed annually. They are effective from the first day of the month in which the form was signed by the parent or legal guardian through the last day of that same calendar month twelve months later.

At a minimum, a completed enrollment form must include:

1. Child's first and last name
2. Days normally in care
3. Hours normally in care
4. Meals normally received while in care
5. Parent or guardian signature
6. Date signed by the parent or guardian

For parents or guardians that will be enrolling an infant, the Sponsor must include the brand name of the formula provided by the child care center. The parent or guardian must designate on the CACFP Child Enrollment Form if the formula is accepted or declined. CACFP Child Enrollment Forms distributed to parents or guardians of infants without a formula name listed are incomplete forms.

Routine child schedule changes during the year do not require an updated CACFP Child Enrollment Form.

Section B – Daily Attendance Records

All Sponsors are required to maintain accurate and legible daily attendance records for all participants in care. OCC Licensed centers must follow OCC rules. Centers that are not licensed by OCC, including OCC Recorded Programs, must follow ODE CNP requirements.

Attendance records show participants were in care and are used to support monthly meal counts. They are also used to conduct the five-day reconciliation during site monitoring and for other internal control purposes. Sponsors must retain completed attendance records on file in accordance with CACFP requirements (three years plus the current fiscal year).

The table below outlines the required information for an attendance record by program type:

Record Information Item	OCC-Licensed Centers*	OCC-License Exempt Centers						
		OCC-Recorded Programs (non-Head Start)	Afterschool At-Risk Centers (includes OCC recorded)	Outside School Hours Care Centers (OSHCC)	Head Start (not OCC Licensed; includes OCC Recorded)	Homeless & Emergency Shelters	Adult Day Service Centers	School District operated Child Care Centers
Attendance Date (month, day & year)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Participant Name	Yes (no OCC-required format)	Yes (CACFP required format - First and Last)	Yes (CACFP required format - First and Last)	Yes (CACFP required format - First and Last)	Yes (CACFP required format - First and Last)	Per Sponsor Policy	Yes (CACFP required format - First and Last)	Yes (CACFP required format - First and Last)
Arrival and Departure Times Required**	Yes	Yes	No	Yes	Yes-If participants arrive/depart outside regular schedule or if not using Present/Absent	No	Yes	Yes-If participants arrive/depart outside regular schedule or if not using Present/Absent
Present/Absent may be used to record attendance—no arrival/departure times required	No	No	Yes	No	Yes	Yes	No	Yes
Attendance Records Accurate at All Times	Yes	Yes	Yes	Yes	Yes	Per Sponsor Policy	Yes	Yes
Parent/Guardian or Participant Signature	No	Yes	No	Yes	If required by Sponsor	No	Yes	If required by Sponsor
Electronic Record System may be used to record attendance	Yes, with conditions below***	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*OCC-licensed centers must follow OCC rules for recording daily attendance per OAR 414-300-0060.

** Arrival/Departure: OCC-exempt centers must have a system to record accurate attendance times when center staff, parents, guardians, or adult participants forget to sign in and out. The In/Out times should be recorded as soon as possible after a participant arrives or departs and be signed or initialed by a center staff member.

***Electronic Record Systems: OCC regulations require that the current day's attendance record shall be maintained in the child's classroom in paper format. Electronic systems may be utilized by OCC-licensed centers in addition to the required paper classroom record. ODE CNP will follow this policy when reviewing OCC-licensed centers.

For more information on attendance record requirements specific to the following programs:

- Afterschool At-Risk Meals & Snacks Program Sponsors see [Chapter 15 Afterschool At-Risk Meals & Snack Programs](#)
- Homeless and Emergency Shelters see [Chapter 16 Homeless & Emergency Shelters](#)
- Head Start Program Sponsors see [Chapter 17 Head Start](#).

Total Monthly Attendance

Sponsors will need the *total monthly attendance* for each sponsored site when filing the monthly claim for reimbursement in CNPweb. Total monthly attendance for a site is calculated by adding together the total attendance for each operating day in the claim month.

Example:

<i>Week</i>	<i>Monday</i>	<i>Tuesday</i>	<i>Wednesday</i>	<i>Thursday</i>	<i>Friday</i>	<i>Total</i>
<i>1</i>	<i>20</i>	<i>21</i>	<i>19</i>	<i>20</i>	<i>20</i>	<i>100</i>
<i>2</i>	<i>15</i>	<i>15</i>	<i>19</i>	<i>20</i>	<i>20</i>	<i>89</i>
<i>3</i>	<i>17</i>	<i>17</i>	<i>18</i>	<i>19</i>	<i>20</i>	<i>91</i>
<i>4</i>	<i>20</i>	<i>20</i>	<i>19</i>	<i>20</i>	<i>15</i>	<i>94</i>
<i>Total Monthly Attendance</i>						<i>374</i>

Section C – Meal Counts

A maximum of two meals and one snack or two snacks and one meal per participant per day may be claimed for reimbursement regardless of the length of time a participant is in attendance. Sponsors may claim only one meal for reimbursement per participant per meal service. Sponsors may claim reimbursement only for the meal types (breakfast, lunch, supper, and snack) approved by ODE CNP on the Sponsor Site Information sheets in CNPweb.

Sponsors should maintain completed point-of-service meal count forms and summary or meal count consolidation sheets in a file with other monthly CACFP records.

Afterschool At-Risk Meals Snacks Programs see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#) for meal count requirements.

Homeless and Emergency Shelter programs see [Chapter 16 Homeless & Emergency Shelters](#) for meal count requirements.

Point-of-Service Meal Counts

Meal counts must be taken and recorded at the “point-of-service” for the specific meal service style chosen by the Sponsor (see [Chapter 8 Meal Service Requirements](#) for meal service styles). The point-of-service is when the participant has received a complete reimbursable meal in a cafeteria line, or when the participant is seated at the dining table with the complete reimbursable meal set on the table. The point-of-service meal count must be taken as the participant leaves the cafeteria line, or before the participant leaves the table.

Meal counts cannot be taken after participants leave the cafeteria line or the table.

In Family Style, Restaurant Style or Combination Style meal service participants who come to the table, with the intention of eating, and are served a reimbursable meal may be included in the meal count even if they do not eat.

Meal Count Methods

The staff supervising the meal usually records the point-of-service meal counts. Sponsors may use one of two methods for the meal count:

Actual Count: The point-of-service “actual count” method records the reimbursable meals served to each participant, by name (first and last). [The Daily Meal Count - Actual Count Method form](#) is available to use on the ODE CNP public website or Sponsors may develop their own “actual count” form.

Sponsors who are approved to serve more than two meals and one snack or two snacks and one meal are *required* to use the “actual count” method. There must be a procedure in place describing how the Sponsor will note on the meal count record which meals are to be claimed for reimbursement for an individual participant when that participant is present, served and counted for more than two meals and one snack or two snacks and one meal on any one day.

Head Count: The point-of-service “head count” method tallies the meals by counting the number of participants receiving a reimbursable meal and documenting the number on the [Daily Meal Count - Head Count Method form](#).

The following are examples of meal count methods that are not acceptable:

- Counting the number of meals prepared or sent by the kitchen;
- Determining the meal count by subtracting the number of entrees left over after the meal service from the number of entrees prepared;
- Counting the number of meals ordered from a vendor;
- Counting meals after the meal is completed based on teachers’ memory or daily attendance records; and
- Counting the number of trays or plates on which food is served.

Keep meal count forms in a notebook or folder or on a bulletin board or clipboard so they are easy for the staff assigned to take the meal count to find and record meal counts at the required point of service. Sponsors should verify the accuracy of the claim for reimbursement, comparing all meals claimed.

Meals that Cannot be Counted or Claimed for Reimbursement

The following meals may not be counted for claiming during a point of service meal count:

- Meals that do not meet the meal pattern requirements as described in [Chapter 8 Meal Service Requirements](#)
- Meals served with missing or non-creditable components to participants who do not have a complete, accurate Medical Statement for Food Substitution on file
- Meals served to teachers, helpers, non-participant adults, other site staff
- Meals served to Parents or guardians
- Meals served to participants who do not have the required, current CACFP enrollment documents on file with the Sponsor

Section D – Common Errors That Can Be Costly

The following CACFP Child Enrollment Form, attendance and meal count errors are sometimes found during administrative review:

- CACFP Child Enrollment Forms are not current or are missing
- Sponsor does not use ODE CNP's Child Enrollment Form (CEF) but uses a Sponsor-developed version of CEF
- Recording attendance as "in" before the participant arrives
- Recording attendance as "in" after the participant leaves
- Recording participant's anticipated or estimated arrival or departure time rather than the actual time
- Not recording split attendance for participants who leave and return the same day.
- Not recording arrival and departure times for staff members' children who are in care
- Not recording the arrival and departure of participants who are transported by bus or van
- Not properly recording a point-of-service meal count
- Claiming a greater number of meals than are supported by attendance records
- Claiming more than two meals and one snack or two snacks and one meal per participant per day
- Addition errors in consolidating meal counts when preparing the reimbursement claim
- Missing dates on enrollment records, attendance records and meal count records.

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Section A – Preparing for the Monthly Reimbursement Claim

Sponsors need the following records to prepare a monthly reimbursement claim for the sponsor and each participating site:

- Daily attendance records for the claim month (These will also be used to calculate the *total monthly attendance for the site claim in CNPweb*. See [Chapter 5 Enrollment, Attendance & Meal Count Records, Section B – Daily Attendance Records](#))
- Daily point-of-service meal count records for the claim month
- Menus for the claim month, including required supporting documentation
- CACFP Child Enrollment Forms (if required)*
- The CACFP Child Enrollment roster, if required (for the OMER month only)
- Monthly For-Profit Eligibility documentation (if required)

ODE CNP recommends Sponsors review the actual menu served before including meals in the monthly claim for reimbursement to ensure all meals served were reimbursable. Sponsors should verify the accuracy of the claim for reimbursement by ensuring all meals claimed have supporting attendance record documentation.

At the end of each week or month add the total number of reimbursable breakfasts, lunches, suppers and snacks served to participants. Do not count more than two meals and one snack, or two snacks and one meal for any single participant on a given day. Most Sponsors use a summary sheet to tally counts from each site or classroom. Have a second staff person check meal count tallies before submitting the reimbursement claim.

Afterschool At-Risk Meals and Snacks programs may claim one At-Risk Snack and one At-Risk supper per participant per day. See [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#) for more information.

Homeless programs may claim up to three meals (breakfast, lunch, or supper) or two meals and one snack per participant per day. See [Chapter 16 Homeless & Emergency Shelters](#) for more information.

***Note: Outside School Hours Centers (OHSC)** will use the Sponsor's own enrollment documents.

Section B – How to Submit a Claim

ODE CNP has a web-based Sponsor database system called "[CNPweb](#)". To be reimbursed for meals and snacks served; Sponsors must complete and submit a monthly on-line Sponsor Claim, which includes individual Site Reimbursement Claims for each approved site. Sponsors may only submit claims for the months checked on each Site Information Sheet and approved by ODE CNP in CNPweb. Sponsors may submit the claim manually or through an electronic upload.

To submit claims on-line, individual users must have a secure user ID and password to access CNPweb. The user ID and password are assigned when the Sponsor submits a CNPweb User Authorization & Request form. Current Sponsors must use the CNPweb User Authorization & Request form to add new users. To delete users, Sponsors must use the User Authorization Termination form. **Both of these forms are available on [CNPweb](#).** The user ID and password are equivalent to an original signature on a paper claim for purposes of official documentation. When using the user ID and password, the user is certifying the information transmitted electronically is complete, accurate and all required documentation is on file with the Sponsor.

Each user must have a unique user name and password known and used only by them. ODE CNP does not maintain a list of passwords. Sponsors are encouraged to record their unique user ID and password and keep them in a secure location for reference.

To maintain system security ODE CNP recommends limiting the total number of system users to those staff with an official need to work in the system.

To Complete and Submit a Monthly Reimbursement Claim in CNPweb

The CNPweb Quick Reference Guide for Renewing Sponsors (Located on the [CNPweb](#) packet page), provides step-by-step instructions for filing a claim in CNPweb. For instructions on how to submit the claim through an electronic upload, contact your assigned Child Nutrition Specialist.

Once the monthly claim is complete and submitted the claim should be in either “Pending Approval” or “Approved” status, and no changes may be made to it until after the claim has been move to Paid status by ODE CNP. To make revisions after payment of this claim has been made, see the [To Revise a Monthly Claim](#) section.

If the Post Confirmation box that appears after you have clicked “submit” when completing the claim tells you that the claim is in “Error” status or “Pending Submission”, you *have not* submitted the claim for payment. You must do one of the following to complete submission

- “Error” status for a Site claim: you must open the Site claim page and determine what information is missing. Once all required information is entered, click “submit”. The site claim should now show a status of “Complete”.
- “Error” status for a Sponsor claim: you must open the Sponsor claim page and determine what information is missing. Once all required information is entered, click “submit” if you need to keep the claim in PENDING SUBMISSION status. If you are done with all entries and revisions, check the box in line 42, the Sponsor Certification (see below), and click “Submit”.

Sponsor Certification

(42) I **Certify** that the information submitted is true and correct and that the claim is ready for payment. I am aware that deliberate misrepresentation or withholding of information may result in prosecution under applicable State and Federal statutes. I certify that records are available to support this claim and that this claim is in accordance with the terms of the existing agreement(s).

The Sponsor claim should now show a status of “Pending Approval”.

You may review the amounts and statuses of past and current claim payments by clicking on the **Payments** tab on the **Sponsor Summary** page.

CNPweb guides and resources may be found on the Packet tab of your CNPweb Sponsor Summary page.

To View Reimbursement Value for Your Monthly Claim in CNPweb

On the **Sponsor Summary-Claims** page, click **View** for the Sponsor level monthly claim.

Scroll to the bottom of the claim form and click **View Summary**. The CNPweb displays the Sponsor Claim Summary page with the claim payment information.

Click the “**here**” link at the bottom of the page to display the Sponsor Summary - Claims page.

****Note:** If the Sponsor Claim form was in Error status before, this action may remove the Error status, but it does not submit the Claim to ODE CNP for Payment.

Section C – When to Submit a Reimbursement Claim

Sponsors are responsible for submitting reimbursement claims before the due date. ODE CNP recommends Sponsors submit original claims by the 10th of the month following the claim month.

The deadline for submitting an original claim is 60 days following the end of the claim month. The official submission date of a claim is the date the sponsor-level claim was certified and submitted on-line in CNPweb.

CNPweb will not accept entry of claims after the dates shown in the chart below. Refer to Section F for submission of late claims.

Special Circumstances—Disaster Response

In disaster situations, ODE CNP may approve Sponsors to submit claims beyond the 60 day requirement. Claims submitted outside of the 60 day requirement, as a result of a disaster, are not subject to the one-time exception for late submissions.

If Sponsors need to reconstruct claims that have not been submitted due to loss of current records, they must consult with ODE CNP. ODE CNP may approve such requests in consultation with the FNS Regional Offices.

Section D – Due Dates

Reimbursement Claim Due Dates

The CNPweb claims system will automatically adjust due dates during Leap Years.

Month	60 Day Deadline
January*	April 1
February	April 29
March	May 30
April	June 29
May	July 30
June	August 29
July	September 29
August	October 30
September	November 29
October	December 30
November	January 29
December**	March 1

In a leap year:

*60 day deadline = March 31

**60 day deadline = February 29

Section E – Revisions

When errors have been made on the original claim submitted, Sponsors may submit a revision to that claim. Revised claims for an upward adjustment in reimbursement must be submitted within 60 days after the end of the claiming month (see ***Reimbursement Claim Due Dates*** chart above). Revised claims for a downward adjustment may be submitted at any time. The revision needs to be submitted with the next original claim. Example: If a downward revision to the September claim is discovered in May, the September claim would need to be revised when the May original is submitted.

To revise monthly claims in CNPweb please see the The CNPweb Quick Reference Guide for Renewing Sponsors (Located on the [CNPweb](#) packet page).

Section F – Late Claims

Original claims may not be entered into CNPweb after the 60 day claim period. Revised claims for upward revisions may not be entered after the 60 day period has expired.

Program Regulations state that "... a final claim for reimbursement shall be postmarked and/or submitted to the state agency no later than 60 days following the last day of the full month covered by the claim. Claims not postmarked and/or submitted within 60 days shall not be paid with program funds unless the

Oregon Department of Education (ODE) determines that an exception should be granted...”

You may make an exception request for:

- 1 **Circumstances beyond your control** - At any time, if your claim was late due to circumstances genuinely beyond your control, you may submit the claim with documented written evidence. We will analyze the evidence and make our determination as to whether the circumstances warrant payment. If we determine they do not, you may still request a one-time exception for circumstances within your control.
- 2 **Circumstances within your control (One-Time Exception)** - A center/ sponsor may request a one-time exception for the submission of a late claim that was within their control. Such an exception will be granted for only **one late monthly claim within a 36-month period** per program (NSLP, SBP, SFSP, CACFP). If you submit more than one late claim, the month with the greatest value will be considered. Once this exception is granted, no future payment under this provision will be made within the subsequent 36-month period.

An exception request for a late claim submission for either circumstance must include:

- Original claim for reimbursement
- Written description of events and circumstances that prevented claiming compliance, in sufficient detail to enable a fair decision
- Acceptable corrective action plan (CAP) with:
 1. Actions to be taken to avoid any future late claim submissions for the same or other causes;
 2. A statement that says, “I understand that if this exception request is granted, the exception has been used for a three-year period and that no future payment of late claims, originals or upward revisions can be made to our program during this period”; and
 3. The signature of the person who signed the agreement with ODE CNP to operate your program or the signature of the person currently occupying that position.
- Approval in writing of the request submission by the Superintendent, School Board or Board Chair or owner of the Sponsoring agency.

Upon receipt of your exception request, ODE CNP will review it to determine whether it sufficiently addresses the reason for lateness and the actions to remedy the late submission. If your CAP is approved, your late claim will be processed for payment. If it is not approved, ODE CNP will advise you as to which deficiencies need to be addressed.

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Section A – Overview

All CACFP Sponsors must maintain a non-profit food service and keep documentation of food service expenses. Acceptable documentation includes itemized receipts, invoices, and payroll records. Details of allowable and unallowable food service expenses are included in this chapter and in the [FNS instruction 796.2, Rev.4.](#), *Financial Management—Child and Adult Care Food Program*.

Annual Budget

Sponsors with more than one site must submit an annual budget to ODE CNP in the annual CACFP agreement renewal materials. The annual budget includes operating costs and administrative costs. Budgets must be submitted in the ODE CNP required Excel workbook form located on the [CNPweb Sponsor Summary Packet](#) tab. Follow the ODE CNP multi-site budget guidance and instructions.

Administrative Oversight

Sponsors must maintain administrative oversight of the CACFP. Sponsors may not contract out for the management of the CACFP. See [Chapter 14 Procurement](#) for more information. If you have additional questions, contact your assigned Child Nutrition Specialist.

Administrative Reviews

During administrative reviews, ODE CNP Child Nutrition Specialists will compare food service expenses with the amount of reimbursement received in a test month. Food costs and other allowable costs must equal or exceed the CACFP reimbursement received for the test month. See [Chapter 20 Audits, Administrative Reviews & Serious Deficiencies](#) for more information.

Catalogue of Federal Domestic Assistance (CFDA) Number

The CFDA number for all CACFP funds is 10.558. All funds received from CACFP must be charged to this CFDA number. Sponsors should supply this information to their accounting staff.

Section B – Food and Non-Food Supply Costs

CACFP Allowable Food Service Expenses

Sponsors must follow [FNS instruction 796.2, Rev.4.](#) and ODE CNP budget guidance and instructions to determine allowable food service expenses.

Sponsors must maintain documentation for all food service expenses. Sponsors *must* be able to document that *all* CACFP reimbursement funds are used for allowable CACFP food service expenses and that no profit is made. CACFP reimbursement funds cannot be used to pay for any other Sponsor program expenses.

ODE CNP recommends that Sponsors should separate receipts and invoices into monthly folders or envelopes. A chronological file of invoices for all allowable food service expenses is also acceptable.

CACFP Sponsors operating other Child Nutrition Programs, such as National School Lunch or Summer Food Service Programs, are required to maintain separate food service accounting documenting the CACFP.

Food service expenses must be allowable, reasonable and necessary as described in [FNS instruction 796.2, Rev.4 Financial Management—Child and Adult Care Food Program](#). Examples of allowable and unallowable CACFP food service costs include:

Allowable Costs	Unallowable Costs
<ul style="list-style-type: none"> • Creditable foods served to the participants • The cost of obtaining food used in the CACFP meal service. • The costs for distributing, transporting, handling, and storing purchased and donated food. • Non-food supplies including paper towels, dishwashing detergent, sanitizers, cleanser, napkins, plates, cups, utensils, and small appliances (less than \$500 per unit). 	<ul style="list-style-type: none"> • Food purchased for personal use, meals for meetings, restaurant meals, and non-creditable foods such as candy, pop, and potato chips. • The value of donated food. However, you must keep documentation of donated foods that specify the food item(s), fair market value or shared maintenance fee paid, and date received. • Non-food supplies such as toilet paper, toothpaste, supplies for arts and crafts, or items of clothing.

For information on procuring and purchasing CACFP goods and services see [Chapter 14 Procurement](#).

How to Document Donated Food

Sponsors may use donated foods that are creditable in the CACFP meal pattern. If received, ODE CNP would expect that donated foods would be a small part of the overall food used in the program. It is our hope that Sponsors would access these foods with care leaving donated foods at the Food Bank available for others in need and for programs who do not receive USDA funding to purchase food for participants in care.

If donated foods are received, Sponsors must include and track the value of the donations in their food service expenses and budget.

Sponsors must keep documentation of donated food and supplies. The documentation must show:

- Item name and/or description
- Quantity received

- Date received
- Name and signature of the donor or information contained on donor's receipt or letterhead
- Estimated value of the donated item(s)
- Any maintenance fees paid in order to receive the donated items

Section C – Food Service Labor Costs

Allowable Food Service Labor Costs

Food service labor costs include wages, salaries, employee benefits, and payroll taxes paid by Sponsors for labor needed for the operation of the CACFP food service. Food service labor costs include:

- Menu planning,
- Purchasing food and food service supplies,
- Preparing and serving meals,
- Clean up,
- On-site supervising of food service, including supervising the meal, and
- Preparing daily menu production records.

For staff that works part-time on food service or related CACFP duties and part-time on other Sponsor Program duties, the Sponsor may only use their CACFP reimbursement to cover the portion of their labor costs equal to the actual hours of their time spent on CACFP activities. Time may not be allocated on a percentage or other basis.

Unallowable Food Service Labor Costs

The value of donated labor is not allowable. If a portion of food service staff's salary is paid through another source (government or private), that portion is not allowable. See the ODE CNP budget guidance and instructions and [FNS instruction 796.2, Rev.4](#), *Financial Management—Child and Adult Care Food Program*.

Required Documentation for Food Service Labor

- Payroll records
- Time sheets that show the actual hours of time spend on CACFP, when an employee has other non-CACFP job duties.

Section D – Administrative Costs

Administrative costs are associated with planning, organizing, and managing the food service operation. Administrative activities include:

- Developing a CACFP management plan, budget, and staffing plan
- Conducting site monitoring reviews
- Recruiting, hiring, and training staff who will perform CACFP functions
- Procuring facilities and equipment
- Negotiating food contracts with vendors
- Staff training
- Compiling daily records to complete the monthly reimbursement claim
- Attending CACFP training

Sponsors *cannot* contract out for the management/administration of the CACFP. The items listed above are examples of the administrative functions that Sponsors cannot contract out. If you have additional questions regarding what is considered management/administration in CACFP, contact your assigned Child Nutrition Specialist.

Allowable Administrative Costs

The following are allowable administrative costs that must be documented with payroll records, rental agreements, mileage documentation, and itemized receipts, as applicable:

- Labor (salaries, fringe benefits, and taxes) for CACFP administrative work
- Rental of office space or office equipment
- Mileage allowance for site visits for CACFP site monitoring reviews or training
- Cost incurred for telephone, fax, and postage for administering the CACFP
- Printing necessary for CACFP needs

Administrative labor must be documented with payroll records showing actual hours worked on CACFP job duties, or timesheets that show time worked on CACFP job duties. Time may not be allocated on a percentage or other basis.

Section E – Purchased Goods and Services

[Chapter 14 Procurement](#) has detailed information on the procurement of goods and services. See this chapter for more detail on CACFP requirements.

If a CACFP Sponsor purchases meals or services, it may use only the portion of the cost of a purchased good or service that is related to CACFP food preparation and meal service to document a nonprofit food service.

Examples of allowable purchased goods and services include:

- Food equipment rental
- Rental of food service facilities
- Vended meals

- Laundry of towels and aprons related to the CACFP
- Trash service related to the CACFP
- Janitorial service related to the CACFP
- Security related to the CACFP
- Insect and rodent control services
- Minor repair of food service equipment
- Preparation of invitation for bids

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Section A – General Requirements for Reimbursable Meals

Sponsors may claim reimbursement for a maximum of either two meals and one snack or two snacks and one meal per participant per day. Meals claimed for reimbursement must meet CACFP meal pattern requirements and must be served to enrolled participants in an approved site. Meals and snacks served in restaurants are not reimbursable.

Homeless programs see [Chapter 16 Homeless & Emergency Shelters](#) for more information on meal requirements.

Sponsors can claim reimbursement only for the meal type's specified in the Sponsor's approved Site Information Sheet in CNPweb. The following meal types are eligible for reimbursement through the CACFP:

- Breakfast
- Morning snack
- Lunch
- Afternoon snack
- Supper
- Evening snack

Meal Times

Meals that are claimed for reimbursement must be served at traditional meal times. ODE CNP defines traditional meal times within the ranges indicated below:

- Breakfast shall not begin after 9:00 a.m.
- Lunch: 11:00 a.m. - 1:30 p.m.
- Supper: 5:00 p.m. - 7:00 p.m.
- Snacks: Snacks should be timed between regularly scheduled meals to allow hunger to develop before the snack and again before the next scheduled meal service.

Afterschool At-Risk Meals & Snacks programs see [Chapter 15 Afterschool At-Risk Meals & Snack Program](#) for more information on meal times.

Sponsors may request non-traditional meal times by entering the time on the CNPweb Site Information Sheet prior to making the change. Your assigned Child Nutrition Specialist will contact you for further information and approve the meal-time, if approvable.

Water Availability

Sponsors must also offer water to children throughout the day. Offering water means asking the children whether they would like water at different times throughout the day. For very young children, this may require visual cues such as showing the cup or pitcher while verbally offering the water.

While drinking water must be made available for children during meal times, it does not have to be served alongside the meal. Water is not part of the reimbursable meal and may not be served instead of fluid milk. If water is offered during a meal, sponsors should consider offering smaller amounts of water and keep in mind that children who drink too much liquid may feel too full to eat.

The requirements to make water available and offer water throughout the day do not apply to adult day care centers; however, adult day care centers are encouraged to ensure drinking water is offered and made available to adult participants throughout the day.

Caregivers should not serve young children too much water before and during meal times; excess water may lead to meal displacement, reducing the amount of food and milk consumed by the children. Sponsors are encouraged to serve water with snacks when no other beverage is being served, and in lieu of other high calorie, sweetened beverages (juice drinks, soda, sports drinks, etc.) that are served outside of meal times. A good time to offer water more frequently might be during or after physical activity, on hot summer days, or cold winter months when the air is drier because of indoor heating.

Water can be made available to children in a variety of ways, which include but are not limited to, having cups available next to the kitchen sink faucet, having water pitchers and cups set out, or simply providing water to a child when it is requested.

Sponsors that obtain drinking water through a public water system are required to ensure that the water provided meets Federal and State drinking water standards. However, plumbing systems within facilities also can affect the quality of the drinking water. In some instances, the plumbing systems within facilities may expose the water to contamination, including lead contamination.

The US Environmental Protection Agency (EPA) regulates public water systems and provides resources related to safe drinking water. The EPA recommends that all facilities routinely test drinking water for lead and perform regular maintenance to ensure that drinking water is safe. For more information, visit the [US EPA website](#).

Sponsors who test tap water and water fountains that will be used by students and children in care should contact the lead (supervising) officer for the local health department or the public water provider for information about certified laboratories that can test for contaminants.

Costs related to the purchase of potable water for consumption by Program participants, or water testing services, could be considered an allowable use of nonprofit food service account funds if the costs are determined to be reasonable, necessary, and allocable

These costs must be analyzed on a case-to case basis in order to determine if the cost is truly reasonable; in these cases, the Sponsor must consult with and obtain approval from ODE CNP prior to initiating any expenditure.

Section B – Meal Patterns

Afterschool At-Risk Meals & Snacks programs see [Chapter 15 Afterschool At-Risk Meals & Snack Program](#) for information on meal patterns. Adult Day Care Programs see [Chapter 21 Adult Day Care](#) for information on meal patterns. For infant meal pattern information, see [Chapter 9 Infants](#).

General Information

The CACFP has federally mandated meal patterns to meet the nutritional requirements of participants based on age. The meal pattern is made up of five food components with minimum portion sizes required for a reimbursable breakfast, lunch, supper and snack for specific age groups of participants (See the [CACFP Food Chart](#) below).

Meals and snacks planned with the CACFP meal patterns supply the types and amounts of foods that help meet participant's nutrient and energy needs. The meal patterns reflect the amount of food required for normal growth and development of children, and to meet needs of participant adults. Participants should be encouraged, but never forced, to eat all foods offered.

Serve at least the minimum required portion sizes of all meal pattern food components to each age group of participants served. Prepare enough food to accommodate participants who require larger portions and additional servings.

The child meal pattern divides participants' ages 1 through 18 years into 4 age groups:

- 1 through 2 years
- 3 through 5 years
- 6 through 12 years
- 12 through 18 years

See [Chapter 21](#) for the adult meal pattern chart.

FOOD COMPONENTS AND FOOD ITEMS	Ages 1-2	Ages 3-5	Ages 6-12	Ages 13-18 ¹
BREAKFAST ^{2, 3}				
Fluid Milk ⁴	4 fl oz (½ cup)	6 fl oz (¾ cup)	8 fl oz (1 cup)	8 fl oz (1 cup)
Vegetables, Fruits or portions of both ⁵	¼ cup	¼ cup	¼ cup	¼ cup
Grains ^{6, 7, 8}				
Whole grain-rich or enriched bread	½ slice	½ slice	1 slice	1 slice
Whole grain-rich or enriched bread product (such as biscuit, roll, muffin)	½ serving	½ serving	1 serving	1 serving
Whole grain-rich, enriched or fortified cooked breakfast cereal ⁹ , cereal grain, and/or pasta	¼ cup	¼ cup	¼ cup	¼ cup
Whole grain-rich, enriched or fortified ready-to-eat breakfast cereal (dry, cold) ^{9, 10}	¼ cup	¼ cup	¼ cup	¼ cup
SNACK ^{2, 11} (Select 2 of the 5 components for a reimbursable snack)				
Fluid Milk ⁴	4 fl oz (½ cup)	4 fl oz (½ cup)	8 fl oz (1 cup)	8 fl oz (1 cup)
Meat or Meat Alternate				
Lean meat, poultry, or fish	½ oz	½ oz	1 oz	1 oz
Tofu	1.1 oz or ¼ c	1.1 oz or ¼ c	2.2 oz or ½ c	2.2 oz or ½ c
Soy product or alternate protein products ¹²	½ oz	½ oz	1 oz	1 oz
Cheese	½ oz	½ oz	1 oz	1 oz
Large egg	½	½	½	½
Cooked dry beans/peas	¼ cup	¼ cup	¼ cup	¼ cup
Peanut butter or soy nut butter or other nut or seed butters	1 Tbsp.	1 Tbsp.	2 Tbsp.	2 Tbsp.
Yogurt (including soy), plain or flavored, unsweetened or sweetened ¹³	2 oz (¼ cup)	2 oz (¼ cup)	4 oz (½ cup)	4 oz (½ cup)
Peanuts, soy nuts, tree nuts or seeds	½ oz	½ oz	1 oz	1 oz
Vegetables ⁵	¼ cup	¼ cup	¼ cup	¼ cup
Fruits ⁵	¼ cup	¼ cup	¼ cup	¼ cup
Grains ^{6, 7}				
Whole grain-rich or enriched bread	½ slice	½ slice	1 slice	1 slice
Whole grain-rich or enriched bread product	½ serving	½ serving	1 serving	1 serving
Whole grain-rich, enriched or fortified cooked breakfast cereal ⁹ , cereal grain, and/or pasta	¼ cup	¼ cup	¼ cup	¼ cup
Whole grain-rich, enriched or fortified ready-to-eat breakfast cereal (dry, cold) ^{9, 10}	¼ cup	¼ cup	¼ cup	¼ cup
LUNCH OR SUPPER ^{2, 14}				
Fluid Milk ⁴	4 fl oz (½ cup)	6 fl oz (¾ cup)	8 fl oz (1 cup)	8 fl oz (1 cup)
Meat or Meat Alternate				
Lean meat, poultry, or fish	1 oz	1½ oz	2 oz	2 oz
Tofu	2.2 oz or ½ c	3.3 oz or ¾ c	4.4 oz or 1 ½ c	4.4 oz or 1 ½ c
Soy product, or alternate protein products ¹²	1 oz	1½ oz	2 oz	2 oz
Cheese	1 oz	1½ oz	2 oz	2 oz
Large egg	½	¾	1	1
Cooked dry beans/peas	¼ cup	¾ cup	½ cup	½ cup
Peanut butter or soy nut butter or other nut or seed butters	2 Tbsp.	3 Tbsp.	4 Tbsp.	4 Tbsp.
Yogurt (including soy), plain or flavored, unsweetened or sweetened ¹³	4 oz (½ cup)	6 oz (¾ cup)	8 oz (1 cup)	8 oz (1 cup)
Peanuts, soy nuts, tree nuts or seeds (may be used to meet no more than 50% of the meat/meat alternate requirement) (1 oz nuts/seeds = 1 oz cooked lean meat poultry, or fish)	½ oz = 50%	¾ oz = 50%	1 oz = 50%	1 oz = 50%
Vegetables ^{5, 15}	¼ cup	¼ cup	¼ cup	¼ cup
Fruits ^{5, 15}	¼ cup	¼ cup	¼ cup	¼ cup
Grains ^{6, 7}				
Whole grain-rich or enriched bread	½ slice	½ slice	1 slice	1 slice
Whole grain-rich or enriched bread product	½ serving	½ serving	1 serving	1 serving
Whole grain-rich, enriched or fortified cooked breakfast cereal, ⁹ cereal grain, and/or pasta	¼ cup	¼ cup	¼ cup	¼ cup

Meal Components

The [Child Meal Pattern Food Chart](#) includes five components, or food groups, which make up the CACFP meal pattern requirements:

- Grains/Breads
- Meat/Meat Alternate
- Vegetables
- Fruits
- Milk

Meals must contain the following food components and food items:

Breakfast—three meal pattern components are required:

- Fluid Milk – one serving
- Grains/Breads – one serving
- Vegetable/Fruit or both – one serving

A meat/meat alternate may be substituted for the entire grain/bread component up to three (3) times per week. One (1) - ounce M/MA equals one (1) – ounce grains.

Lunch or Supper—five meal pattern components are required:

- Fluid Milk – one serving
- Grains/Breads – one serving
- Meat/Meat Alternate – one serving
- Vegetables - one serving
- Fruits – one serving

Lunch and supper must include one (1) fruit and one (1) vegetable **OR** two (2) vegetables. When two vegetables are served two different kinds of vegetables must be served.

Snack—two of the five meal pattern components are required:

Snacks must contain at least two of the five meal components. Snacks with only two food items from the same component group are not reimbursable. For example, a snack made up of only turkey and cheese is not reimbursable. A snack made up of only a banana and apple juice is not reimbursable.

Only one of the two required components for snack may be a beverage.

Meal Pattern Flexibility During a Disaster—ODE CNP Approval Required

Child Nutrition Programs policies are designed to allow flexibility and support continuation of meal benefits to participants in disaster areas. There are existing flexibilities in meal service

requirements and administrative procedures that make it easier for Sponsors to operate and respond to disaster situations.

Meal Component and Meal Service

Flexibility is allowed with regard to time of meal service and, if applicable, use of offer versus serve (this applies only to At-Risk Afterschool and Adult Programs). These modifications may be made *only* with ODE CNP approval.

If emergency conditions exist that prevent Sponsors from obtaining fluid milk, ODE CNP may allow service of meals without milk or with an alternate form of milk, such as canned or dry milk [7 CFR 210.10(m)(2)(i); 7 CFR 225.16(f)(6); 7 CFR 226.20(e)].

If changes to other meal component requirements are needed, Sponsors must consult with ODE CNP.

Section C – Crediting Foods

Creditable foods are foods that may be counted toward meeting meal pattern requirements for a reimbursable meal.

Non-creditable foods (sometimes called “other foods”) are foods that do not meet any meal pattern component requirement. Non-creditable foods may be served in addition to required meal pattern components in reimbursable meals, unless the food is specifically prohibited in the CACFP. The ODE CNP Non-Creditable Food List for the CACFP is found on the [CACFP Meal Pattern and Menu Planning webpage](#).

The [USDA electronic Food Buying Guide \(FBG\)](#) is the ultimate reference for crediting meal components in CACFP meals. The on-line guide is updated frequently and Sponsors should use the online guide as a reference.

Use the *FBG* to determine how much food to purchase or prepare for the number of portions planned. The *FBG* is divided into sections according to meal pattern components: Meat/Meat Alternate, Vegetables/Fruits, Grains/ Breads, and Milk. Each section provides information on how to determine the creditable amount or the number of servings of a given size from each purchase unit of the food. For example, the *FBG* specifies that one pound of raw ground beef with no more than 20% fat will provide 11.8 one - ounce portions of cooked, drained lean meat.

Note: The Section in the *FBG* titled, *Other Foods*, contains yield information for foods that are not creditable in the CACFP. Foods in this section do not count toward reimbursable meals.

Crediting Grains/Breads

A creditable grain must be enriched or whole grain-rich. At least one serving of grains per day must be whole-grain rich. One-quarter (1/4 or .25) of a serving of a Grain/Bread food item is the minimum amount allowable to be credited toward the meal pattern component requirement.

The [Easy to Use Grains and Breads Chart](#) categorizes products into groups according to the amount of grain in each item and lists creditable serving sizes for each group.

Enriched Grains

Enriched grains are grains that have certain B vitamins and iron added back to them after

processing. There are two ways to determine if a grain is enriched. The food must meet at least one of the following in order to be creditable as enriched:

1. The food package is labeled as enriched.
2. An enriched grain is listed as the first ingredient on the food's ingredient list, or second after water. The label will usually say "enriched flour" or "enriched wheat flour," or there is a sub-listing of nutrients used to enrich the ingredient. For example, in this ingredient list, the yellow corn flour has a sub-list of nutrients used to enrich it: "whole wheat flour, yellow corn flour (folic acid, riboflavin, niacin, and thiamine)".

Breakfast cereals that are fortified are also creditable.

Cereal products that have been fortified are labeled as such and have an ingredient statement similar to the following (for EXAMPLE purposes only): "Ingredients: Whole wheat, sugar, oats, contains 2% or less of salt, baking soda, caramel color, annatto color, BHT for freshness. Vitamins and Minerals: Vitamin C (sodium ascorbate, ascorbic acid), niacin amide, vitamin B6 (pyridoxine hydrochloride), reduced iron, zinc oxide, folic acid, vitamin B2 (riboflavin), vitamin B1 (thiamin hydrochloride), vitamin A palmitate, vitamin D, vitamin B12."

Whole Grain Meals or Flours

Whole grain meals or flours are made of the entire cereal grain seed or kernel. The kernel has three parts - the bran, the germ, and the endosperm. In refined grains, the bran and the germ are removed, leaving only the starchy endosperm. With whole grains, the bran and germ are left intact to provide fiber, B vitamins, and healthy fats. Some examples of whole grains include products with the word "whole" listed before a grain such as whole wheat or whole corn flour, cracked wheat, brown rice, oatmeal, wild rice, quinoa, and millet. Bran and germ are credited the same as enriched or whole-grain meal or flour.

Note: whole grains are not the same as multi-grains.

Corn Meal or Corn Flour

The FDA Standard of Identity for 'corn meal' and 'corn flour' was revised in 2006. The terms 'corn meal' and 'corn flour' on an ingredient label no longer qualify as whole grains. To be a creditable Grain/Bread the ingredient label must contain one of the following terms:

- 'Whole corn' (or other 'whole' corn designations, such as whole grain corn, whole ground corn, whole cornmeal, whole corn flour, etc.)
- 'Enriched' corn (or other 'enriched' corn designations such as enriched yellow cornmeal, enriched corn flour, enriched corn grits, etc.)

Non-Creditable Grains

Whole grains, enriched grains, bran, and germ are creditable grains in the CACFP. Other grain ingredients are considered non-creditable. There may be times when non-creditable grains appear in the ingredient list of a food. Some examples of non-creditable grain ingredients include: flours that are not enriched or whole grain, wheat starch, corn starch, modified food starch, and vegetable flours (e.g., potato and legume flours).

Non-creditable grains in insignificant amounts are acceptable. To the extent possible, Sponsors should choose foods with an insignificant amount of non-creditable grains.

Determining Creditable Grains

Grain products that will not be used to meet the whole grain-rich requirements may continue to be credited using previous methods of crediting. Grain products labeled as 'whole grain' or 'enriched', or grain products with the first grain ingredient listed as enriched or whole grain will be creditable.

ODE CNP has developed a [grains flowchart](#) to help sponsors identify creditable grains.

Rule of Three

When identifying whether a grain product is creditable, Sponsors may use the **rule of three** as one of the determining methods. The rule of three means looking at the first three grain ingredients to determine that they are either whole grain or enriched. To use the rule of three:

- Make sure the first grain ingredient (or second after water), is whole or enriched, and
- The next two grain ingredients (if any) are whole grains, enriched grains, graham, bran, or germ.

If the product has the statement "contains 2% or less," any ingredients listed after that statement are considered insignificant. They do not need to be considered in the **rule of three**. For example, an ingredient list may state "contains less than 2% of wheat flour and corn starch." In this example, the wheat flour and corn starch can be disregarded.

Grains and non-grains may be mixed together on an ingredient list. For example, a bread ingredient list may say: "water, whole wheat flour, yeast, sugar, enriched white flour, wheat gluten, brown rice flour, salt." In this example, the first ingredient after water is a whole grain. The second grain ingredient is an enriched grain, and the third grain ingredient is a whole grain. This bread passes the **rule of three** test. It also meets the whole grain-rich criteria because the first ingredient after water is a whole grain. Sponsors do not need to check any other grain ingredients further down on the ingredient list to verify if they are creditable.

There is no need to use the **rule of three** for ready-to-eat breakfast cereals that are fortified. If a ready-to-eat breakfast cereal has a whole grain as the first ingredient (or second after water), and it is fortified, it meets the whole grain-rich criteria.

Note: wheat gluten is not a grain. Gluten is protein in the grain.

Whole Grain-rich Criteria

At least one serving of grains per day must be whole grain-rich. A whole grain-rich food contains 100% whole grains, or at least 50% whole grains with the remaining grains in the foods enriched. Bran and germ are credited the same as enriched or whole-grain meal or flour. This whole grain-rich requirement only applies to meals served to children and adults; it does not apply to infant meals.

There are four ways to determine if a grain product meets the whole grain-rich criteria. The following checklist can be used to decide if a grain is whole grain-rich. The food must meet at least one of the following:

1. The food is labeled as "whole wheat".

Grain products that are specifically labeled as “whole wheat bread”, “entire wheat bread”, “whole wheat rolls”, “entire wheat rolls”, “whole wheat buns”, and “entire wheat buns” are 100 percent whole wheat and meet the whole grain-rich criteria.

These products generally will not have any refined grains listed in the ingredient statement. If they do, it is considered to be an insignificant amount.

Please note that foods with the label “whole grain”, “made with whole grains”, “made with whole wheat”, or “contains whole grains” do not necessarily meet the whole grain-rich criteria.

2. A whole grain is listed as the first ingredient on the food’s ingredient list (or second after water), and the next two grain ingredients are creditable (whole or enriched grains, bran, or germ). This is called the **rule of three**. More information about the **rule of three** is located in the section titled **Rule of three**.

Some examples of whole grain ingredients are whole wheat, brown rice or wild rice, oatmeal, bulgur, whole-grain corn, and quinoa.

3. The product includes one of the following Food and Drug Administration approved whole-grain health claims on its packaging:

“Diets rich in whole grain foods and other plant foods and low in total fat, saturated fat, and cholesterol may reduce the risk of heart disease and some cancers.”

OR

“Diets rich in whole grain foods and other plant foods, and low in saturated fat and cholesterol, may help reduce the risk of heart disease.”

FNS is allowing the FDA whole grain health claims to be sufficient documentation to demonstrate compliance with the whole grain-rich criteria.

The Whole Grain Stamps from the Whole Grain Council may not be used to determine if a grain product meets the whole grain-rich criteria. Products that display a Whole Grain Stamp may also contain high amounts of non-creditable grains, such as non-enriched refined flour. Therefore, the Whole Grain Stamps from the Whole Grain Council alone are not sufficient documentation to demonstrate a product is whole grain-rich. Sponsors must still review the ingredient list to determine that whole grains are the primary grain ingredient and there are insignificant amounts of non-creditable grains. The **rule of three** is an easy way to accomplish this.

WIC Breakfast Cereals

WIC breakfast cereals labeled whole grain meet the current CACFP whole grain-rich criteria under method 3 (FDA labeling statement) as a method of determining whether a breakfast cereal meets the whole grain-rich requirement. WIC breakfast cereals identified with a purple circle and a “W” in the middle are whole grain breakfast cereals. WIC breakfast cereals include ready-to-eat and instant and regular hot cereals.

4. Proper documentation (from a manufacturer or a standardized recipe) demonstrates

that whole grains are the primary grain ingredient by weight.

When a whole grain is not listed as the first ingredient or second after water, the primary ingredients by weight may be a whole grain if there are multiple whole-grain ingredients and the combined weight of those whole grains is more than the weight of the other enriched grains. Proper documentation from the manufacturer (i.e. a manufacturer's Product Formulation Statement) or a recipe must be available showing whole grain weights. The whole grain weights will have to add up to at least 50% of the total grains, and the rest of the grains must be enriched.

When the first ingredient (or second after water) on a grain food's (e.g., breads and rolls) ingredient list or the grain portion of a mixed product's (e.g., breaded chicken patties) ingredient list is not whole grain or enriched, Sponsors must request proper documentation from a manufacturer demonstrating the primary grain ingredient by weight is whole grain to decide if the product meets the whole grain-rich criteria.

If documentation, such as a product formulation statement or recipe, is not available to show the whole grain weights, the product cannot be credited toward the whole grain-rich criteria of the meal pattern.

[Grains Flowchart](#)

ODE CNP has developed a flowchart to assist sponsors and providers in identifying creditable grains and whole grain-rich grain products. The flowchart incorporates all four methods of crediting whole grain-rich products, including the *rule of three*.

Menu Documentation for Grains/Breads

For all whole grain-rich items, maintain a copy of the packaging or the ingredient statement on file in order to verify that the items served are whole-grain rich.

Menus must have the whole grain-rich food item documented to demonstrate that one serving of whole grain-rich food was provided during the day. Food ingredient labels, and Product Formulation Statements (if necessary) must be on file to ensure the whole grain-rich item meets grain requirements. If a grain component is served during the day and a whole grain-rich food is not served, the meal or snack with the lowest reimbursement will be disallowed.

For example: a center serves breakfast, lunch and snack and all meals had a grain component, but the menu does not document that any of the meals/snacks included a whole grain-rich food. Then the lowest reimbursed meal, the snack, would be disallowed.

See [Chapter 10 Menu Records](#) for more information on menu documentation.

Breakfast Cereals

Breakfast cereals include ready-to-eat cereals and instant and hot cereals. Breakfast cereals must meet the sugar limit and be whole grain-rich, enriched, or fortified.

For all types of cereals in the infant, children and adult meal patterns, there is now a sugar limit: the cereal must contain no more than 6 grams of sugar per dry ounce in order to credit as part of the grains component. One dry ounce is approximately 28 grams. This requirement will help further reduce children's intake of added sugars, as recommended by the Dietary Guidelines for Americans.

There are four suggested methods to make sure a breakfast cereal meets the new sugar limits:

1. The easiest way is to use the Oregon WIC approved breakfast cereals list from the Oregon WIC Food list. All Oregon WIC approved cereals must contain no more than 6 grams of sugar per dry ounce, so they meet the same sugar limit requirements as CACFP. This is a quick way to make sure your cereal meets the new sugar limit.

The Oregon WIC website has a complete list of WIC approved cereals.

Note: WIC approved yogurt does not meet the sugar requirements, so should not be used to find creditable yogurt items.

2. Use [USDA's Team Nutrition training worksheet "Choose Breakfast Cereals That Are Low in Added Sugar."](#) The worksheet includes a chart with common breakfast cereal serving sizes and the maximum amount of sugar the breakfast cereal may contain per serving.
3. Sponsors may also use the Nutrition Facts label on the cereal packaging to calculate the sugar content per dry ounce (see example provided below)
 - First, find the serving size in grams at the top of the Label and the sugars listed towards the middle.
 - Next, divide the total sugars by the serving size in grams.
 - If the answer is equal to or less than 0.212, then the cereal is within the required sugar limit and may be creditable in CACFP.
4. Use an FNS-provided alternate calculation that uses rounding and aligns with the Team Nutrition training worksheet noted above:
 - First, find the serving size in grams at the top of the Nutrition Facts label.
 - Multiply the serving size in grams by 0.212.
 - If the answer in step 2 ends in 0.5 or more, round the number up to the next whole number. If the answer in step 2 ends in 0.49 or less, round the number down to the next whole number. For example, if the answer in step 2 is 4.24, it is rounded down to 4.
 - Next, find the Sugars listed towards the middle of the Nutrition Facts label.
 - Compare the number from Step 4 with the number in Step 3. If the number from Step 4 is equal to, or less than, the number in Step 3, the cereal meets the sugar limit and may be creditable in the CACFP.

Calculating the Sugar Content of Breakfast Cereals Using Method #3

Using the sample nutrition facts label below,

1. First find the serving size. The serving size is 28 grams (outlined in red). Note, look at the grams, which is the weight, and not the cup, which is volume, when calculating sugar content.

- Next find the amount for sugars. The grams of sugar are located under the heading “Total Carbohydrate” in the nutrition facts label (outlined in red). The amount of sugar in this cereal is 1 gram.
- Divide by the serving size, which is 28 grams (which is equal to 1 dry ounce). This makes the amount of sugar 0.036, which is less than the threshold of 0.212, the cereal is creditable. The calculation of this cereal is shown underneath the nutrition facts label.

Cereal, corn flakes

Nutrition Facts	
Serving Size 1 cup (28g)	
Servings Per Container 12	
Amount Per Serving	
Calories 105	Calories from Fat 9
% Daily Values*	
Total Fat 2g	3%
Saturated Fat 0g	0%
Trans Fat 0g	
Sodium 139mg	6%
Total Carbohydrate 20g	7%
Dietary Fiber 3g	12%
Sugars 1g	
Protein 0g	0%

*Percent Daily Values are based on a 2,000 calorie diet.

Calculate the amount of sugar per serving:

$$\frac{\text{Sugars in the cereal example} = 1 \text{ gram}}{\text{Serving size of the cereal} = 28 \text{ grams}}$$

1 gram divided by 28 grams = 0.036 grams, which is less than 0.212 grams.

The Nutrition Facts Label must be saved for each breakfast cereal on the menu to show the amount of sugar provided by the cereal. [Chapter 10 Menu Records](#) provides additional detail for menu documentation requirements for breakfast cereals.

ODE CNP has [CACFP Sugar Limit Wallet Card](#) to use for determining the sugar limits for breakfast cereals and yogurt on the CACFP Meal Pattern and Menu Planning Page. [Instructions for using the wallet size cards](#) are also on the same webpage.

Grain-based Desserts

Because grain-based desserts are a source of added sugars and saturated fats, they help contribute to increased risks of chronic illnesses. Due to their impact on overall health, they are **not creditable** toward all reimbursable meals and snacks.

To determine which grain items are considered grain-based desserts, FNS has provided the [Exhibit A chart](#). Exhibit A is a list of grains grouped together by type. Items with a superscript of 3 or 4 in Exhibit A are grain-based desserts and are not creditable in the CACFP. Exhibit A has been color-coded to show which items are considered grain-based desserts. Items in red are those items with a superscript of 3 or 4 and are considered grain-based desserts. These items do not credit for the grains component.

Items, such as sweet crackers (i.e. graham crackers and unfrosted animal crackers) have a superscript of 5. These items may count toward the grain component in the CACFP. To reflect this, items with a superscript of 5 have been color-coded in blue on Exhibit A.

Below is a list of grain based desserts. This is by no means a complete list, but it covers some of the common grain based desserts that are served. None of the items listed below credit towards a reimbursable meal. Note that savory pie crusts, such as those used in main dish pot pies, do not fall under the list of grain-based desserts.

When special events are planned, such as birthdays, celebrations, and festivals, grain-based desserts can be served as an extra food item only. The grain-based dessert is not part of the reimbursable meal or snack. Additionally, since grain-based desserts are not creditable, then CACFP funds may not be used to purchase them.

List of Grain-based Dessert (not a complete list)

- Breakfast Bars
- Brownies
- Cakes
- Cereal Bars
- Cookies
- Doughnuts
- Granola Bars
- Sweet bread puddings
- Sweet pie crusts
- Sweet rolls, sweet scones
- Toaster pastries

Crediting Meat/Meat Alternates

Meat includes lean meat, poultry or fish. Meat alternates include cheese, eggs, yogurt, cooked dry beans or peas, nuts and seeds and their butters, tofu and alternate protein products (APP).

Cheese food and imitation cheese are not creditable meat/meat alternates.

To be counted toward meeting any part of the Meat/Meat Alternate requirement, a food item must provide a minimum of ¼ ounce cooked lean meat or meat equivalent. The rest of the required Meat/Meat Alternate serving must be met by adding other Meat/Meat Alternate foods.

A serving of cooked meat is considered to be lean meat without bone.

Nuts and seeds may fulfill no more than one-half of the Meat/Meat Alternate requirement for lunch and supper but may fulfill all of the Meat/Meat Alternate requirement for a snack. One ounce of nuts or seeds is equal to one ounce of cooked lean meat. Acorns, coconut and chestnuts are not creditable as Meat/Meat Alternates.

Shelf-stable, dry, or semi-dry, meat snacks made from meat, poultry or seafood do not credit in any meal served under the Department of Agriculture's (USDA) Child Nutrition (CN) Programs. If you have questions about a specific item, contact your assigned Child Nutrition Specialist.

Alternate Protein Products (APP) are creditable as Meat/Meat Alternates only as described in the USDA Food Buying Guide. If you have questions about a specific item, refer to the [USDA Food Buying Guide \(FBG\)](#) . If you have additional questions, contact your assigned Child Nutrition Specialist.

Cooked dry beans or peas (legumes) may be counted as a Vegetable component or as a Meat/Meat Alternate component. When a meal contains one serving of beans and peas (legumes), it can only count toward the meat/meat alternate component or the vegetable component and not both. When a meal contains two distinct servings of different beans and peas (legumes), one may be counted towards the vegetable component and one towards the meat/meat alternate component, if they are in separate dishes. For example: legumes served as part of a salad (vegetable component) and as part of a chili or bean soup (meat/meat alternate).

Meat/ Meat Alternates at Breakfast:

A meat/meat alternate may be substituted for the entire grain component for breakfast up to three times a week. For example, instead of toast, oranges, and milk, a hardboiled egg or baked tofu with orange slices, and milk may be served instead.

As a reminder, bacon is **NOT** a creditable meat in the USDA Food Buying Guide despite being a common breakfast item.

When serving meat/meat alternates in the place of grains for breakfast, one ounce of meat/meat alternate is equal to one serving of grains.

This flexibility for breakfast will allow more variety in breakfast menus.

Yogurt

A serving of yogurt includes commercially prepared plain or flavored yogurt, unsweetened or sweetened and soy yogurt. Homemade yogurt is not creditable. Yogurt must contain no more than 23 grams of TOTAL sugar per 6 ounces. This sugar limit applies to all age groups, including infants.

Four ounces of yogurt credits as one ounce meat/meat alternate.

The following are not creditable as meat/meat alternates:

- Frozen yogurt
- Drinkable yogurt
- Homemade yogurt
- Yogurt flavored products
- Yogurt bars
- Yogurt covered fruits and nuts
- Yogurt in commercially prepared smoothies

There are two ways to determine if a yogurt product meets the sugar limit requirements.

1. The first method is called the chart method
 - a. The first step is to look at the nutrition facts label for the yogurt.
 - b. Identify the serving size. In the sample Nutrition Facts label below, the serving size is a 6 ounce container. It is important to be aware that the serving size may be different than the package size.
 - c. Find the total amount of sugars. The total amount of sugars is under the heading "Total Carbohydrates". In the example below, the serving size has 19 grams of sugar.
 - d. Look at the yogurt sugar limit chart below:
 - i. Find the serving size, in this case, 6 ounces, and check whether the amount of sugar in the yogurt is less than or equal to the amount listed in the chart for the same serving size in ounces. In this example, a serving size of 6 ounces of yogurt can have no more than 23 grams. The sugar amount is 19 grams, which is less than 23 grams, so the yogurt is creditable. The yogurt chart is also available on the [USDA's Team Nutrition website](#) titled: "Choose Yogurts Lower in Added Sugar."



Try It Out!

Use the "Sugar Limits in Yogurt" table below to help find yogurts you can serve at your site. Write down your favorite brands and other information in the "Yogurts To Serve in the CACFP" list. You can use this as a shopping list when buying yogurts to serve in your program.



Sugar Limits in Yogurt

Serving Size Ounces (oz)	Serving Size Grams (g) <small>(Use when the serving size is not listed in ounces)</small>	Sugars	Serving Size Ounces (oz)	Serving Size Grams (g) <small>(Use when the serving size is not listed in ounces)</small>	Sugars
If the serving size is:		Sugars must not be more than:	If the serving size is:		Sugars must not be more than:
1 oz	28 g	4 g	4.75 oz	135 g	18 g
1.25 oz	35 g	5 g	5 oz	142 g	19 g
1.5 oz	43 g	6 g	5.25 oz	149 g	20 g
1.75 oz	50 g	7 g	5.3 oz	150 g	20 g
2 oz	57 g	8 g	5.5 oz	156 g	21 g
2.25 oz	64 g	9 g	5.75 oz	163 g	22 g
2.5 oz	71 g	10 g	6 oz	170 g	23 g
2.75 oz	78 g	11 g	6.25 oz	177 g	24 g
3 oz	85 g	11 g	6.5 oz	184 g	25 g
3.25 oz	92 g	12 g	6.75 oz	191 g	26 g
3.5 oz	99 g	13 g	7 oz	198 g	27 g
3.75 oz	106 g	14 g	7.25 oz	206 g	28 g
4 oz	113 g	15 g	7.5 oz	213 g	29 g
4.25 oz	120 g	16 g	7.75 oz	220 g	30 g
4.5 oz	128 g	17 g	8 oz	227 g	31 g

2. The second method is a calculation method:
 - a. USDA has established a threshold number, which is the maximum amount of sugars per ounce that is allowed for yogurt. This threshold is 3.83 grams of sugar per ounce.
 - b. If there is a yogurt that does not come in the serving sizes listed on the chart, the total amount of sugar per ounce will need to be calculated to determine if the yogurt is at or below the threshold of 3.83 grams of sugar per ounce.
 - c. The threshold number is calculated by dividing 23 grams of sugar by 6 ounces of yogurt, which is the sugar limit established by the regulations.
 - d. For the sample Nutrition Facts Label below calculate the amount of sugar per ounce by:

$$\frac{\text{Sugars}}{\text{Serving size}} = \frac{19 \text{ grams}}{6 \text{ ounces}} = 3.16 \text{ grams}$$

3.16 grams of sugar per ounce is below the threshold of 3.83 grams of sugar per ounce.

Nutrition Facts	
Serving Size 6 oz Container	
Amount Per Serving	
Calories 90	
	% Daily Values*
Total Fat 0g	0%
Saturated Fat 0g	0%
Trans Fat -1g	
Cholesterol 6mg	2%
Potassium 140mg	4%
Sodium 65mg	3%
Total Carbohydrate 14g	5%
Dietary Fiber 2g	8%
Sugars 19g	
Protein 12g	24%
Calcium 15%	•
	Vitamin D 10%
* Percent Daily Values are based on a 2,000 calorie diet. Your Daily Values may be higher or lower depending on your calorie needs.	
	Calories 2,000 2,500
Total Fat	Less than 65g 80g
Sat Fat	Less than 20g 25g
Cholesterol	Less than 300mg 300mg
Sodium	Less than 2400mg 2400mg
Total Carbohydrate	300g 375g
Dietary Fiber	25g 30g

IMAGE OF NUTRITION FACTS LABEL COURTESY OF FNS TEAM NUTRITION

The Nutrition Facts Label must be saved for each yogurt on the menu to show the amount of sugar provided by the yogurt. [Chapter 10 Menu Records](#) provides additional detail for menu documentation requirements for yogurt.

Crediting Tofu

Tofu that is commercially made credits as a meat/meat alternates for participant’s meals. Soy links and sausages must have Child Nutrition (CN) labels or manufacturer’s Product Formulation Statement (PFS) that show the product meets protein requirements. Tofu cannot be credited as part of a reimbursable meal for infants.

Tofu can be purchased in many forms, including silken, soft, firm, and extra firm.

Commercially prepared tofu must be easily recognized as a meat substitute, meaning that the tofu cannot be blended in a smoothie or soup.

Tofu must meet the protein requirements of 5 grams of protein per 2.2 ounces by weight. Only firm and extra firm will meet the protein requirements for tofu.

Nutrition labels with manufacturer’s name and brand name for all tofu served must be saved to verify that the tofu served meets protein requirements.

The ODE CNP website also has recipe ideas from USDA and the state of Wisconsin. The link for these recipes is: [Tofu Recipes](#).

The Nutrition Facts Label must be saved for each tofu item on the menu to show that the item meets the protein requirements. [Chapter 10 Menu Records](#) provides additional detail for menu documentation requirements for yogurt.

Crediting Vegetables and Fruits

Vegetables and Fruits are two separate components. At lunch and supper one serving of the vegetable component and one serving of the fruit component must be provided. Alternately, a vegetable may be served to meet the entire fruit component for lunch and supper. When a vegetable is substituted for the fruit component at lunch and supper then the amount of vegetable served must be the same serving size as the fruit component it replaced. Additionally, the vegetable offered in place of the fruit component must be different from the vegetable offered as the vegetable component. For example, two servings of carrots would not be creditable for a lunch or supper.

One cup of raw (uncooked) leafy greens (i.e. lettuce, spinach, etc.) counts as $\frac{1}{2}$ cup vegetables, and $\frac{1}{4}$ cup dried fruit counts as $\frac{1}{2}$ cup fruit. Cooked leafy greens credit as the volume served. For example, $\frac{1}{2}$ cup cooked spinach credits as $\frac{1}{2}$ cup vegetable.

At snack a serving of a vegetable component and a serving of a fruit component may be offered at the same time.

Cooked dry beans or peas (legumes) may be counted as a Vegetable component *or* as a Meat/Meat Alternate component. When a meal contains one serving of beans and peas (legumes), it can only count toward the meat/meat alternate component or the vegetable component and not both. When a meal contains two distinct servings of different beans and peas (legumes), one may be counted towards the vegetable component and one towards the meat/meat alternate component, if they are in separate dishes. For example: legumes served as part of a salad (vegetable component) and as part of a chili or bean soup (meat/meat alternate).

A minimum of $\frac{1}{8}$ cup of vegetable or fruit must be served to count toward the Vegetable or Fruit meal pattern requirement when served in combination dishes or when used as garnishes. For example, vegetable soup must have at least $\frac{1}{8}$ cup of vegetables per serving to count toward the Vegetable meal pattern component requirement. Lettuce on a sandwich must be at least equal to $\frac{1}{8}$ cup equivalent to count toward the Vegetable meal pattern requirement.

Mixed fruit and vegetable dishes, such as carrot-raisin salad, may credit for both the fruit and vegetable components as long as the mixed dish contain at least $\frac{1}{8}$ cup of vegetable and $\frac{1}{8}$ cup fruit in easily identifiable forms.

Vegetable mixes, such as broccoli and cauliflower mixes may also credit for the vegetable component and substitute for the fruit component at lunch and supper if the mix contains at least $\frac{1}{8}$ cup of two different types of vegetables. This is because a vegetable can replace the fruit component for lunch and supper.

For mixed fruit and vegetable dishes, the quantities of the different fruits and vegetables must be known. This means that pre-mixed vegetable mixtures, such as frozen carrots and peas, can't credit for two different vegetables.

A serving of cooked vegetables means *drained* vegetables. A serving of cooked, canned, or frozen, thawed fruit means fruit with its juices.

Home canned vegetables and fruits are not creditable.

Juice

Fruit and vegetable juice must be 100% juice or [CN labeled](#). It may be fresh, canned, frozen or reconstituted from concentrate to its full-strength form. Full-strength fruit and vegetable juice is creditable toward the Vegetable or Fruit meal pattern component under the following conditions:

- Juice (vegetable or fruit) may only be served for one meal or snack per day.
- Fruit and vegetable juice must be pasteurized.
- Vegetable or fruit juice may not be credited toward fulfilling the Snack meal pattern requirement when milk is the only other component served
- Pureed fruits and vegetables in smoothies are considered juice
- Fruit juice blends (or fruit and vegetable juice blends) are creditable as long as the blended juice is 100% fruit juice (100% fruit and 100% vegetable juice). Juice blends can credit as a fruit component or a vegetable component. To determine what food component a juice blend contributes to, look to the ingredient list. If there are more fruit than vegetables in the ingredients list, the juice contributes to the fruit component, if there are more vegetables than fruit in the ingredients list, the juice contributes to the vegetable components.
- CN labeled fruit juice blends are credited as stated on the CN label statement

Crediting Milk

Fluid milk must be served to meet the Milk meal pattern component requirement. Milk must be pasteurized, vitamin A and D fortified, and meet State standards for fluid milk. Cultured buttermilk, lactose-reduced milk, lactose-free milk, or acidified milk are creditable.

- **Participants Age 12 months through 23 Months**

Unflavored whole milk must be served to participants' *age twelve months through twenty-three months*. Milk is required at each meal: breakfast, lunch and supper. The milk component is optional at snack.

- **Transition at 2 years**

USDA recognizes that switching immediately from whole milk to 1% or fat-free milk when a child turns two years old may be challenging. Therefore, a one-month transition period is allowable between the 24th month and 25th month. During this one-month transition period, children may be served whole milk or reduced-fat (2%) milk and the meal may be claimed for reimbursement

- **Participants Ages 2 Years and Older and Adults**

Milk served to children two years and older and adults must be low-fat (1%) or fat-free. Except for the one-month transition period, meals served with 2% or whole milk to participants after their second birthday will not be creditable for reimbursement unless there is a valid Medical Statement for Food Substitution on file for any participant(s)

requiring a higher fat milk. See [Section D Medical Exceptions to the Meal Pattern](#) for further instructions.

- **Flavored milk**

Children 1-5 years old: Flavored milk served to children 1 through 5 years old is not creditable.

Children 6 years old and older and adults: Flavored milk served to participants 6 years old and older or adults must be fat-free.

For breakfast meals, a serving of fluid milk can be served as a beverage, used on cereal, or used in part for each purpose.

When milk is one of the two components served for a snack, juice may not be the only other component served.

Milk used in cooked cereals, puddings, soups, or other foods may not be credited toward the Milk meal pattern requirement.

Fluid milk for all age groups can be:

- Breast milk
- Lactose reduced
- Lactose free
- Buttermilk
- Acidified milk

Breast Milk

Breast milk is considered fluid milk in the CACFP meal pattern. Breast milk is a creditable milk and may be offered to children of any age.

Meals are reimbursable if the parent/guardian provides expressed breast milk; or, when a mother breastfeeds a child at the center.

Breast milk may be served in combination with other milk types for a reimbursable meal. For example, a mother may bring $\frac{1}{4}$ cup of breast milk and the sponsor can provide the additional $\frac{1}{4}$ cup of fluid whole milk to make the total $\frac{1}{2}$ cup serving.

Breast milk offered to children past age one do NOT require a medical statement.

Combination Foods

Combination foods contain foods from more than one food group (Examples: casserole dishes, soups, and breaded meat items). Combination food dishes may be used to credit a total of three different meal components: Meat/meat alternate, Grains/breads, Vegetable or Fruit component.

Combination foods may be homemade or commercially prepared. Homemade combination foods are those that are assembled from multiple ingredients in a kitchen serving the Sponsor's site(s), whether the kitchen is operated by the Sponsor or operated by the vendor from whom the Sponsor is purchasing meals.

To count a homemade combination food item toward meal pattern component requirements, the Sponsor must have a *written recipe* documenting the amount of all ingredients in the product. Refer to [Chapter 10 Menu Records](#), for specific details on recipe documentation.

For commercially prepared combination food items on the menu, the Sponsor must have one of the following on file:

- A Child Nutrition (CN) Label
- Documentation from the food manufacturer in the form of a [Manufacturer's Product Formulation Statement \(PFS\)](#) that certifies the amount of creditable ingredients in the product
- Product label for meat/meat alternate items with a [Standards of Identity](#).

For more information on CN labels, manufacturer's PFS and Standards of Identity refer to [Chapter 10 Menu Records](#).

Section D – Exceptions to the Meal Pattern & Medical Statements

Federal regulations require Child Nutrition Programs Sponsors to offer to all participants' breakfasts, lunches, suppers, snacks, and milk that meet the meal requirements identified in the individual Program regulations.

Federal regulations further **require** Sponsors to make substitutions to the standard meal requirements for participants who are determined to be disabled and whose disability restricts their diet. See *Participants with Disabilities*, below. CFR 210.10 (g)(1), CFR 220.8 (d), 226.20(h), and 225.16(f)(4).

If a state licensed physician or health care professional, who is authorized to write medical prescriptions under state law, assesses that a special dietary need such as a food allergy or a medical condition may substantially limit a major life activity or a major bodily function, the participant may then meet the definition of a person with disabilities, and the Sponsor must make the substitutions prescribed by the state licensed health care professional. In Oregon, State licensed health care professionals include:

Medical Doctors of Medicine (MD);
Doctors of Osteopathy (DO);
Doctors of Naturopathy (ND);
Physician's Assistant (PA);
Certified nurse practitioner or clinical nurse specialist;
Doctor of Dental Medicine (DMD);
Doctor of Dental Surgery (DDS);
Doctor of Optometry (OD).

ODE CNP has one form to be used by sponsors when a parent/guardian or adult participant identifies that a disability or medical or other special dietary needs exists

- [Medical Statement](#)

In addition, ODE CNP has created two resources to assist Sponsors in determining when a *Medical Statement* or *Milk Substitute Request* may be required and which form to use:

- [Quick Guide - Meal Substitutions for Participants with Disabilities or Medical or Other Special Dietary Needs](#)
- [Medical Statement Decision Tree](#)

Participants with Disabilities

The ADA Amendments Act of 2008 expanded and clarified the definition of Disability. It did not change the expectation to provide a reasonable modification. The Act makes it very clear that the emphasis must be on providing the reasonable modification, and not placing a burden on the disabled participant to prove he or she has a disability.

A person with a disability is defined as any person

- With a physical or mental impairment which substantially limits one or more major life activities,
- Who has a record of such impairment, or
- Who is regarded as having such impairment.

“Major life activities” are broadly defined and included, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. “Major life activities” also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

The term “Substantially Limits” has been revised to

- Recognize that an impairment does not need to prevent or severely/significantly restrict a major life activity
- Recognize that the determination of an impairment is based on individualized assessment or a case-by-case basis
- Recognize that participants who take measures to improve or control an impairment are still considered to have a disability and require an accommodation
- Include an impairment that is episodic or in remission if it would substantially limit a major life activity when active.

Program regulations require Sponsors to provide modifications for participants with disabilities on a case-by-case basis only when requests are supported by a written statement from a State licensed healthcare professional.

Meals that do not meet the Program meal pattern requirements are not eligible for reimbursement unless supported by a medical statement. However, Sponsors may choose to

accommodate requests related to a disability that are not supported by a medical statement if the requested modification can be accomplished within the meal pattern (i.e. the modification does not eliminate a meal pattern component or requirement). Such meals are reimbursable.

The USDA memo: *“Policy Memorandum on Modifications to Accommodate Disabilities in the Child and Adult Care Food Program and Summer Food Service Program”*, dated June 22, 2017, provides additional information on meal accommodations. The ODE CNP memo *“Guidance Related to the ADA Amendments Act”*, dated June 10, 2013, provides additional information how the ADA Amendments Act of 2008 broadened the list of Major Life Activities used in identifying disabilities. These memos are located at:

[Child Nutrition Memos](#)

A participant whose disability restricts his or her diet shall be provided substitutions in foods only when supported by a [Medical Statement- Accommodate Disabilities](#) form signed by an Oregon licensed health care professional, who is authorized to write medical prescriptions.

The medical statement shall include:

- Enough information regarding participant’s physical or mental impairment that is sufficient to allow the sponsor to understand how the disability restricts the participant’s diet;
- An explanation of what must be done to accommodate the disability;
- If the accommodation includes modifying foods provided to the participant, then the food or foods to be omitted and recommended substitutions must be identified.

For example: If the disability would require caloric modifications, meal pattern or frequency modifications, or the substitution of a liquid nutritive formula, then the information must be included in the statement.

If the participant with disabilities requires only textural modification(s) to the regular program meal, as opposed to a meal requirement modification, the medical statement is recommended but not required. In such cases, the purpose of the statement is to assist the Sponsor in making the appropriate textural modification(s). Unless otherwise specified by the Oregon licensed health care professional the meals modified for texture will consist only of food items and quantities specified in the regular menus.

Sponsors must make reasonable modifications to the meal, including providing special meals at no extra charge, to accommodate disabilities, which restrict a participant’s diet.

Children with an Individual Education Program (IEP) and 504 Plans

Sponsors should be aware that the Individuals with Disabilities Education Act (IDEA) imposes requirements on states that may affect the Sponsor including the service of meals even when such service is not required by the Child Nutrition Programs. For example, the individualized education program (IEP) developed for a child under the IDEA may require a meal to be served outside of the regular meal schedule for program meals or to a child who is older than 12 years of age.

In order for these meals to be claimed for reimbursement Sponsors will need to have the parent/guardian provide a copy of the child's 504 plan, in addition to the IEP.

Please contact your assigned Child Nutrition Specialist for further assistance in determining whether meals and snacks served to children with an IEP and a 504 plan may be claimed for reimbursement.

Participants without Disabilities

Sponsors are not required to make substitutions for participants whose conditions do not meet the definition of a person with disabilities. In most cases, the special dietary needs of participants without disabilities may be managed within the normal program meal service when a well-planned variety of nutritious foods is available to participants or *Offer versus Serve* (not an available meal service option in all Child Nutrition Programs) is available and implemented.

Milk Substitutions/Non-dairy Beverages--Participants without Disabilities

In the case of participants who cannot consume fluid milk due to medical or other special dietary needs, *but do not have a disability*, non-dairy beverages may be served in lieu of fluid milk. Participants without disabilities, who request a substitution for the fluid milk requirement at meals and snacks, must submit a [Milk Substitute Request--Participants without Disabilities form](#). The form may be signed by the participant's parent or guardian, or recognized medical authority. In Adult Care Programs the participant may sign the form.

Non-dairy beverages must be nutritionally equivalent to milk and meet the nutritional standards for fortification of calcium, protein, vitamin A, vitamin D, and other nutrients to levels found in cow's milk, as outlined in the National School Lunch Program (NSLP) regulations at 7CFR 210.10(m)(3) and USDA Policy Memos: SP 02-2009, SP 07-2010, CACFP 04-2010, and SFSP 05-2010.

Non-dairy beverages served to children 1 through 5 years old must be unflavored due to the higher sugar content of flavored varieties.

The ODE CNP [Non-Dairy Substitutes webpage](#) may be used to help Sponsors identify non-dairy beverages that meet the above standards. The non-dairy substitutes that are currently determined to meet the nutritional standard for fluid milk for use as part of a reimbursable meal are listed on the ODE CNP Non-Dairy Substitutes webpage.

The [Milk Substitute Request— Participants without Disabilities form](#) must identify the medical or other special dietary need (except a disability) that restricts the diet of the participant. Non-dairy beverages that are not nutritionally equivalent to cow's milk and do not meet the nutritional standards outlined above cannot be claimed as part of a reimbursable meal. Juice and water are not nutritionally equivalent to milk, so they would not be a reimbursable substitution.

Example: If a participant follows a vegan diet, the parent/guardian (or adult participant for themselves) can submit the *Milk Substitute Request— Participants without Disabilities form* to the participant's center asking that soy milk be served in lieu of cow's milk. The form must identify that Vegan Diet is the special dietary need that restricts the diet of the participant. The

non-dairy milk substitution must be nutritionally equivalent to cow's milk and meet the nutritional standards for fortification as outlined above. Such substitutions are at the option and the expense of the Sponsor.

Note: Meals containing non-dairy beverages that are not nutritionally equivalent to milk *may* be reimbursable **only for participants with disabilities** who have a [Medical Statement form](#) on file signed by a licensed health care professional who is authorized to write prescriptions under State law.

USDA Reimbursement and Meal Changes

Reimbursement for meals served with an authorized substitute food to participants with disabilities or to participants without disabilities with other special dietary needs shall be claimed at the same reimbursement rate as meals that meet meal requirements. Furthermore, there shall not be a supplementary charge for the substituted food item(s) to either a participant with disabilities or to a participant without disabilities with other special dietary needs.

In providing foodservices, all CACFP Sponsors are recipients of federal financial assistance. Sponsors may not discriminate on the basis of disability and shall serve special meals, at no extra charge, to participants whose disability restricts their diet. While any additional costs for substituted foods are considered allowable program costs, no additional Child Nutrition Programs reimbursement is available. Sources of supplemental funding that Sponsors may have available to them may include:

- Special education funds (if the substituted food is specified in the participant's individualized education program)
- The Sponsor's general account
- The Sponsor's non-profit foodservice account

Cooperation

When implementing meal substitutions Sponsors and their staff should work closely with the parent(s), guardian(s), the adult participant, or responsible family member(s) and with all other school, medical and community personnel who are responsible for the health, well-being and education of participants with disabilities or with other special dietary needs to ensure that reasonable accommodations are made to allow such individuals' participation in the meal service.

Menu Documentation

Substitutions to the regularly planned menu must be documented. The documentation may be made on the working menu or on a separate document depending on the number and complexity of substitutions made (see [Chapter 10 Menu Records](#)).

Sponsors should contact their assigned Child Nutrition Specialist for further assistance in clarifying what documentation may be required for their program.

Section E – Special Situations

Meals Eaten at another Location

Meals served in the CACFP are intended to be consumed in settings where organized groups of eligible children and adults are gathered to eat. This means that meals must be consumed on-site in order for the meal to be reimbursable unless ODE CNP has approved for off-site consumption during field trips. If meals are consumed off-site, such as during a field trip, Sponsors must first receive ODE CNP approval to claim meals off-site. Failure to meet this congregate feeding requirement will result in the disallowance of meals and may lead to a determination of serious deficiency in the Program

Meals or snacks served at an alternate location (e.g., field trip) provided by the Sponsor and supervised by the Sponsor's staff may be claimed for reimbursement. Sponsors must submit a request via email for all field trips by site to the assigned Child Nutrition Specialist at least 48 hours prior to the date of the field trip. The Specialist will provide verification of receipt of the field trip request and field trip approval via email

Meals that are served off-site must meet CACFP meal pattern requirements to be claimed for reimbursement. The meals must be supervised and a point-of-service meal count documented during the field trip. Caution must be taken to ensure that potentially hazardous foods are stored and served according to local public health policies. Check with your county health officials to confirm the food safety requirements for transporting and consuming food off-site.

Meals packed by the Sponsor and sent with a participant to eat at another location *without the supervision of the Sponsor's personnel* are not eligible for CACFP reimbursement. Meals purchased at restaurants or fast food establishments may not be claimed for reimbursement.

If Sponsors have additional questions about meals served at locations other than an approved site, they should contact their assigned Child Nutrition Specialist.

Food Provided by Parents/Guardians

Generally, food provided by parents/guardians (except for infants) may not be counted as fulfilling meal pattern component requirements in the CACFP. If parents provide an additional food, such as a dessert item, and the Sponsor provides the required components, the meal may be claimed for reimbursement. Such foods should be served after the required components to help ensure that the foods in the CACFP meal pattern are eaten first and the children's nutritional needs are met before additional foods are offered. Parents/guardians cannot be required or coerced to provide any food(s) for their child who is participating in the CACFP.

Exceptions to Food Provided by Parents/Guardians

Meals may be claimed for reimbursement when parents/guardians provide a required component in the following instances:

- When there is a signed *Medical Statement for Food Substitutions Form*, parents/guardians may choose to provide one food substitution.
- If a parent provides a non-dairy milk substitute that meets the nutritional standards as outlined in 7 CFR 210.10(m)(3) and that has been approved by the State agency, the caregiver may serve the non-dairy milk substitute and still claim reimbursement for the meal.

In some situations, infant meals may be reimbursed when the parent/ guardian provides some of the required meal components. See [Chapter 9 Infants](#) for more information on infant meals.

Donation of Leftover Foods--Food Donation Policy

ODE CNP is committed to preventing hunger and to responsible stewardship of Federal dollars. Child Nutrition Program policy aims first to limit food waste and unnecessary costs. If a CACFP Sponsor has leftover food on a frequent basis, menu planning and production practices should be adjusted to reduce leftovers.

Nevertheless, because of unforeseen circumstances, occasionally there will be leftover food. All alternatives permitted by Program regulations and State and local health and sanitation codes should be exhausted before discarding food. Options may include using leftovers in subsequent meal services; offering sharing tables for Afterschool At-Risk Programs (*Afterschool At-Risk Programs see [Chapter 15 Afterschool At-Risk Meals & Snack Program](#)*); or, transferring food to other sites, if a multi-site Sponsor.

Where it is not feasible to reuse leftovers, excess food may be donated to a nonprofit organization, such as a community food bank, homeless shelter, or other nonprofit charitable organizations.

Donation and Service of Traditional Foods

Section 4033 of the Agricultural Act of 2014 (P.L. 113-79) (Farm Bill) directs the U.S. Department of Agriculture (USDA) and the Food and Drug Administration to allow the donation to and serving of traditional food through food service programs at public facilities and

nonprofit facilities, including those operated by Indian tribes and facilities operated by tribal organizations, that primarily serve Indians.

The Farm Bill defines traditional food as “food that has traditionally been prepared and consumed by an Indian tribe” and specifically includes in that definition:

- wild game meat
- fish
- seafood
- marine mammals
- plants, and
- berries

Sponsors that accept and serve donated traditional food must:

- ensure that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;
- make a reasonable determination that
 - the animal was not diseased;
 - the food was appropriately butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and
 - the food will not cause a significant health hazard or potential for human illness;
- carry out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;
- clean and sanitize food-contact surfaces of equipment and utensils after processing the traditional food;
- label donated traditional food with the name of the food;
- store the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator;
- follow Federal, State, local, county, Tribal, or other non-Federal law regarding the safe preparation and service of food in public or nonprofit facilities; and
- follow other such criteria as established by the Secretary of Agriculture and Commissioner of the U.S. Food and Drug Administration.

Many traditional foods may also be purchased and served as part of a meal service. Fresh grown fruits and vegetables and freshly caught fish are allowable in CACFP if these foods meet the policies of the State and local (county) Environmental Health Department regarding food safety.

Meat and meat products must be USDA inspected in order to be allowable in CACFP. USDA’s Food Safety and Inspection Service (FSIS) has mandatory inspection authority over all food products from cattle, sheep, swine, goats, horses, mules, and other equines, chicken, turkeys, ducks, geese, guineas, ratites (emu, ostrich, and rhea) and squab. Additionally, FSIS does

voluntary inspection of reindeer, elk, deer, antelope, water buffalo, bison, migratory water fowl (such as ducks and geese), game birds and rabbits.

All game meat must be purchased from USDA inspected establishments, or State Meat and Poultry Inspection Programs. Uninspected game meat is not allowed to be served in FNS Child Nutrition Programs except when facilities, including schools, and sites operated by Indian tribes and tribal organizations, that primarily serve Indians accept donations of game meat (see ODECNP memo “USDA Policy Memo- Service of Traditional foods in Public Facilities” issued October 15, 2015).

Traditional Native American foods that are not creditable under CACFP may be served as *additional* foods with a meal or snack that meets the minimum meal pattern requirements. These foods must be served in addition to, not in place of, the required components of the meals and may not be purchased with CACFP funds.

Section F – Styles of Meal Service

For all meal service styles, food components must be served in sufficient amounts to meet minimum portion requirements. All components must be served together either on the table or given to each participant at the beginning of the meal. For example, milk or fruit cannot be served later in the meal than the other components.

It is important to note that meals packed by the Sponsor and sent with a participant to eat at another location without the supervision of the Sponsor’s personnel are not eligible for CACFP reimbursement (see [Section E—Special Situations](#)).

Sponsors may choose one of the following methods of serving CACFP meals:

Restaurant Style Meal Service

In restaurant style meal service (or preset meal service), all food components are portioned and served on the plate and in the cup for each participant. Minimum portion sizes of each required component must be served together to each participant at the beginning of the meal.

The point of service meal count is taken when all meal components are placed on the table and the participants are seated at the table with a complete meal in front of them.

Family Style Meal Service

Family style meal service allows participants to eat together and to make food choices based on individual appetites and food preferences. It promotes mealtime as a learning experience to help participants develop positive attitudes toward nutritious foods, share in group eating situations, and develop good eating habits.

Family style meal service operates as follows:

- All required meal components are placed on the table at the same time.
- Adequate amounts of each food item must be placed on the table to provide at least minimum portions for each participant and supervising adult to be served.
- Participants may serve themselves from serving dishes or communal bowls that are on the table.
- Adults supervising the meal help those participants who are not able to serve

themselves.

- Participants are allowed to make choices selecting foods and in the size of the serving.
- A supervising adult must be seated at each table to actively encourage participants to take the full required portion of each food component. The supervising adult must offer the food item again later in the meal if participants initially refuse the food or take a very small portion.
- The point-of-service meal count should be taken at the time participants are seated at the table with all required components placed on the table.

Family style meal service can be conducted in a variety of ways. For example, participants may help in preparing for the meal by clearing the table and setting places, sharing conversation during the meal and cleaning up after the meal.

Combination Restaurant and Family Style Meal Service

Some Sponsors find a combination of restaurant style and family style best meets the participants' needs. Combination meal service operates as follows:

- The full minimum required portion of one or more components are served restaurant style to each participant.
- The remaining components are served on the table in communal serving dishes or pitchers adhering to all of the Family Style Meal Service requirements.
- All components must be offered to participants at the same time. For example, it is not acceptable to serve participants the Meat/Meat Alternate and Vegetable or Fruit components and wait for five minutes before setting the Grains/Breads and the Milk components on the table.
- In this meal service style, all the rules governing each service style apply to the foods served using that method. For example, if staff pours milk into glasses, at least the minimum required amount must be poured for each child and offered when the rest of the meal components are served.
- The point-of-service meal count must be taken when the participants are seated at the table, have been served the full minimum portions of the items served restaurant style, and the remaining items are placed on the table.

Cafeteria Style Meal Service

In cafeteria style, participants select food from a cafeteria line. Food is not available at the dining table. Cafeteria meal service operates as follows:

- Participants must select the minimum required amounts of all required components their first time through the cafeteria line.
- Adults must supervise the cafeteria line to ensure each participant selects at least the minimum required portions of all required food components.
- The point-of-service meal count must be taken when the participant has a complete, reimbursable meal in hand, and before or as they leave the cafeteria serving line.

Offer Versus Serve (OVS)

This type of meal service is only allowable in Afterschool At-Risk Afterschool Meals and Adult Day Care Centers.

At the discretion of Afterschool At-Risk and Adult Day Care Sponsors, participants may be permitted to decline a certain number of components offered without affecting the reimbursement for the meal. This method of meal service is known as Offer versus Serve (OVS). In OVS participants are required to take a certain number of components, in their minimum portion sizes, rather than the entire meal being offered. Using OVS can help Sponsors reduce food waste and cost while maintaining the nutritional value of the meal served. Using OVS is optional and may only be used at breakfast, lunch, or supper.

For more information and requirements for this meal service style, please see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#) or [Chapter 21 Adult Day Care](#).

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CHAPTER 9 INFANTS

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Section A – Infant Meal Patterns

Sponsors participating in CACFP must offer Program meals to all eligible children enrolled in their center. Program regulations define an enrolled child as a child whose parent or guardian has submitted to an institution a signed document which indicated that the child is enrolled in child care [7 CFR 226.2].

A center may not avoid this obligation by stating that the infant is not enrolled in the CACFP, or by citing logistical or cost barriers to offering infant meals. Decisions on offering Program meals must be based on whether the child is enrolled for care, not if the child is enrolled in the CACFP. As long as an infant is in care during the meal service period, the center must offer the infant a meal that complies with Program requirements.

Infants have unique nutritional and developmental needs, so the CACFP has a separate meal pattern for infants. The USDA defines “infant” for purposes of the CACFP as infants from birth through 11 months of age. Infant feeding requirements apply to participants through the infant’s 11th month of age.

Infant Meal Pattern

Sponsors must offer the infant meal pattern to all infants in care. The specific amount and type of food required for reimbursable meals changes as infants get older. Infants are grouped into two age categories for infant meal pattern purposes:

- Birth through the end of 5 months
- Beginning of the 6th month through the end of the 11th month

Developmental and nutritional needs of each infant vary. Sponsors should consult with the parent or guardian about the introduction of solid foods. As a *best practice*, the Sponsor should obtain in writing from the parent or guardian when the Sponsor should start serving solid foods to their infant.

Solid foods must be served when the infant is around 6 months of age and when the infant is developmentally ready for them. Once the infant is developmentally ready to accept solid foods, the Sponsor is required to offer them to the infant. Since solid foods are introduced gradually and new foods may be introduced one at a time over the course of a few days, an infant’s eating patterns may change. For example, an infant may eat green beans one week and then refuse them the next week. Centers must follow the eating habits of the infant. Additionally, solid foods served to infants must be of a texture and consistency that is appropriate for the age and development of the infant being fed.

Reimbursable meals for infants may contain breast milk, approved iron-fortified infant formula or both—supplied by the caregiver or by the parent. To receive reimbursement for the meal, the caregiver must always offer the infant a complete reimbursable meal based on the meal pattern requirements for the age of the infant.

Formula or breast milk mixed into infant cereal may not be credited toward meeting the minimum portion size of fluid formula or breast milk required on the meal pattern.

The Infant Meal Pattern chart is on the following page.

Infant Meal Pattern

Child and Adult Care Food Program



- Infants should be fed on demand and should not be restricted to a rigid feeding schedule
- The amounts listed are the minimum serving sizes to meet meal pattern requirements
- Sponsors must offer to provide at least one reimbursable iron-fortified infant formula (IFIF)

FOOD COMPONENTS AND FOOD ITEMS		Birth through 5 months of age	6 through 11 months of age
Breakfast	Breast milk ¹ or Iron-Fortified Infant Formula (IFIF) ^{1,2}	4-6 fl oz	6-8 fl oz
	Iron-Fortified Infant Cereal (IFIC) ^{2,3} or Meat, fish, poultry, whole eggs, cooked dried beans or peas ³ or Cheese, cottage cheese, or yogurt ^{3,4}		0-4 Tbsp 0-4 Tbsp 0-2 oz cheese 0-4 oz cottage cheese 0-4 oz or ½ cup yogurt or a combination of the above
	Fruit or Vegetable or a combination of both ^{3,5}		0-2 Tbsp
Snack	Breast milk ¹ or Iron-Fortified Infant Formula (IFIF) ^{1,2}	4-6 fl oz	2-4 fl oz
	Sliced bread ^{3,6} or Crackers ^{3,6} or Iron-Fortified Infant Cereal (IFIC) ² or ready-to-eat breakfast cereal ^{3,6,7}		0- ½ slice 0-2 crackers 0-4 Tbsp
	Fruit or Vegetable or a combination of both ^{3,5}		0-2 Tbsp
Lunch and Supper	Breast milk ¹ or Iron-Fortified Infant Formula (IFIF) ^{1,2}	4-6 fl oz	6-8 fl oz
	Iron-Fortified Infant Cereal (IFIC) ^{2,3} or Meat, fish, poultry, whole eggs, cooked dried beans or peas ³ or Cheese, cottage cheese, or yogurt ^{3,4}		0-4 Tbsp 0-4 Tbsp 0-2 oz cheese 0-4 oz cottage cheese 0-4 oz or ½ cup yogurt or a combination of the above
	Fruit or Vegetable or a combination of both ^{3,5}		0-2 Tbsp

¹ Breastmilk or IFIF, or portions of both must be served; it is recommended that breastmilk be served in place of formula from birth through 11 months.

² Infant formula and dry infant cereal must be iron fortified.

³ A serving of this component is required when the infant is developmentally ready to accept it.

⁴ Yogurt must contain no more than 23 grams of total sugars per 6 ounces.

⁵ Fruit and vegetable juices, including 100% juices, are not allowed for infants.

⁶ Grains must be one of the following: enriched meal, enriched flour, or whole grain-rich. Beginning October 1, 2019, ounce equivalents will be used to determine the quantity of creditable grains.

⁷ Breakfast cereals must contain no more than 6 grams of sugar per dry ounce.

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Transitional Period

A one-month period, between 12 and 13 months, is allowed for infants to transition from infant formula to cow's milk. Meals/snacks containing infant formula served to 12-month-old participants qualify for reimbursement without a [Medical Statement for Food Substitutions](#).

Meals containing infant formula that are served to children 13 months old and older are reimbursable, when it is supported by a medical statement signed by a licensed physician or a State recognized medical authority. A State recognized medical authority for this purpose is a State licensed health care professional, who is authorized to write medical prescriptions under State law (see [Chapter 8, Section D](#) for a list of health care professionals authorized to write medical prescriptions).

The [Medical Statement for Food Substitution](#) form should include a description of the infant's physical or mental impairment and an explanation of how to modify the meal or meal service to accommodate the infant's disability.

Participants who are fed breast milk may be served breast milk in place of fluid milk in the meal pattern in any age group in CACFP and the meals are reimbursable.

Crediting Foods

To claim an infant's meal for CACFP reimbursement, the specific foods served must be creditable. Many foods that are allowed in older children's meal patterns are not creditable for infants. Dry infant cereal must be iron fortified and served with a spoon. Serving infant cereal in a bottle to infants is not reimbursable. Neither the infant cereal nor the breastmilk or infant formula in the bottle may be claimed for reimbursement, when they are served in the same bottle, unless it is supported with a [Medical Statement for Food Substitutions](#)

Commercial strained baby food meat products such as beef and beef gravy, chicken and chicken gravy, lamb and lamb gravy, ham and ham gravy, turkey and turkey gravy, and veal and veal gravy are reimbursable.

Yogurt and whole eggs are creditable as meat alternates in the infant meal pattern for infants that are developmentally ready to accept them. All yogurts served in the CACFP, including yogurt served to infants, must contain no more than 23 grams of sugar per 6 ounces.

Vegetables and fruits that are cooked, mashed, pureed or small diced as needed to obtain the appropriate texture and consistency are required at breakfast, lunch, supper and snack for infants that are developmentally ready to accept them.

Ready-to-eat breakfast cereals are allowable at snack only for infants that are developmentally ready to accept them. All ready-to-eat cereals served to infants are subject to the same sugar limit as breakfast cereals served to children and adults in the CACFP. Ready-to-eat cereals served to infants must contain no more than 6 grams of sugar per dry ounce.

Ready-to-eat cereals, or boxed cereals, are a type of breakfast cereal that can be eaten as sold and is typically fortified with vitamins and minerals. Some examples of ready-to-eat

cereals are puffed rice cereals and whole grain O-shaped cereal. Oatmeal, steel cut oats, grits (enriched) and instant cereals are not ready-to-eat cereals.

There is no whole grain requirement for infants. The requirement to serve at least one whole-grain rich food per day is only required for the CACFP children and adult meal patterns.

Non-Creditable Foods

Some examples of non-creditable foods for infants:

- Home canned infant foods
- Honey
- Muffins
- Doughnuts
- Hot dogs
- Vegetable and fruit juice
- Nuts or seeds
- Commercial breaded products (fish sticks, chicken nuggets)
- Cow's milk
- Cheese food and cheese spread
- Tofu
- Soy yogurt

Mixed or Combination Infant Foods

The American Academy of Pediatrics (AAP) recommends introducing single ingredient foods to infants first, one at a time. This will help to monitor if an infant has an allergic reaction.

Once developmentally ready, infants benefit from being introduced to a variety of food textures, aromas, and flavors, including mixed dishes. When considering food combinations, be sure that the infant has been introduced to all ingredients, that the food is the appropriate texture to prevent choking, and that the food is not high in added sugars, fats, or sodium. Be aware that some mixed dishes may contain foods that do not credit towards the infant meal pattern, such as rice or pasta.

With that in mind, FNS encourages centers and day care homes to only serve foods with more than one food component to older infants with well-established solid food eating habits.

When combination foods are served to infants, a recipe must be available for homemade combination foods, and a CN Label or manufacturer's PFS must be available for commercially prepared combination foods.

Meal Times and Service

Infants do not eat on a strict schedule. Therefore, sponsors are not required to feed infants only at the traditional meal times scheduled for older children. Infant meals must be served consistent with the infant's eating habits. As long as all the required food components are offered over the course of the day, the meals may be reimbursable.

When the infant has been offered some of the required components of a meal/snack, the rest

of the required food components for that meal/snack must be offered over the course of the day. For example, if an infant was breastfed at home right before arriving at the center, the infant may not be hungry for the breakfast meal, when he or she first arrives. The center may offer the meal to the infant later in the morning when the infant is hungry and still claim it. Additionally, if an infant, who is developmentally ready to eat pureed vegetables, is not hungry for pureed vegetables at lunch, then the pureed vegetables can be offered at another time during the day and the lunch meal may still be claimed for reimbursement.

Some breastfed infants regularly consume less than the required amount of breastmilk per feeding. A serving of less than the minimum amount of breastmilk may be offered with additional breastmilk offered if the infant is still hungry.

Even though infants should be fed “on demand”, only the meal types approved for reimbursement on the Sponsor’s CNPweb Site Information Sheet(s) may be claimed for reimbursement. For example, if “PM Snack” is not an approved meal type for a site, then PM snacks cannot be claimed for reimbursement, even if the infant is fed mid-afternoon. To change the type of meals offered to better fit infant feeding needs, Sponsors must enter the requested changes on the appropriate Site Information Sheet(s) in CNPweb and submit them to ODE CNP for approval prior to recording and claiming meals for reimbursement.

Note: A maximum of two meals and one snack or two snacks and one meal may be claimed for reimbursement per infant each day, regardless of the number of meals or snack served.

Infant Menus

Sponsors must keep separate menus for infant meals. Because infant diets vary, foods offered must be recorded for each individual infant. The menus must document the infant’s name and date of birth, the menu date, the type of meal (breakfast, lunch, or snack), name of formula or breastmilk, and all actual food items served for each meal or snack. A sample [Daily Infant Menu Record](#) form is provided on the Child Nutrition Program Website. See [Section D](#) of this chapter for more information on infant menu records.

Food Substitutions

Decisions concerning nutrition during the first year of life are for the infant’s health care provider and parents or guardians to make together. Modifications or substitutions to the CACFP infant meal pattern are allowed when supported by a completed [Medical Statement for Food Substitutions](#). The statement must be kept on file by the Sponsor.

Food Provided for Infants by Parents/Guardians

Sometimes parents or guardians want to provide specific food(s) for their infant. Infant meals claimed for reimbursement must contain all the required meal pattern components for the age of the infant being served, whether supplied by the parent/guardian or supplied by the Sponsor. Parents or guardians cannot be required or coerced to supply formula or solid foods for their infant who is participating in the CACFP. When the parent or guardian supplies formula or food for their infant, it must be documented on the infant menu record as “PS” for

the parent-supplied item(s). See [Section D](#) of this chapter for more information on infant menu record requirements.

A Parent/guardian may only provide one component of the infant meal pattern

The chart "[Is This Infant Meal Reimbursable](#)" describes when meals are reimbursable if parents/guardians provide food for their infant. In all cases, the following rules govern reimbursable infant meals:

- When the parent/guardian provides infant formula, it must be an approved formula unless there is a completed [Medical Statement for Food Substitutions](#) on file.
- A parent/guardian may choose to directly breastfeed her infant on-site, supply expressed breastmilk or a creditable infant formula, even when the infant is only consuming breastmilk or infant formula.
- When the infant is developmentally ready for solid foods, and the parent/guardian chooses to supply expressed breastmilk or formula or directly breastfeed on site, then the sponsor must provide all the other required meal components in order for the meal to be reimbursable. Alternately, a parent/guardian may choose to provide one solid food component, if the infant is developmentally ready to consume solid foods. In this situation, the sponsor must supply all other required meal components, including iron-fortified infant formula.

Determining Developmental Readiness for Solid Foods

There is no single, direct signal to determine when an infant is developmentally ready to accept solid foods. An infant's' readiness depends on his or her rate of development. Sponsors should be in constant communication with infants' parents or guardians about when and what solid foods should be served while the infant is in care. As a best practice, USDA's Food and Nutrition Service (FNS) recommends that parents or guardians request in writing when a provider should start serving solid foods to their infant. When talking with parents or guardians about when to serve solid foods to infants in care, the following guidelines from the AAP can help determine if an infant is developmentally ready to begin eating solid foods:

- The infant is able to sit in a high chair, feeding seat, or infant seat with good head control;
- The infant opens his or her mouth when food comes his or her way. He or she may watch others eat, reach for food, and seem eager to be fed;
- The infant can move food from a spoon into his or her throat; and
- The infant has doubled his or her weight and weighs about 13 pounds or more.

Allowing solid foods to be served when the infant is developmentally ready (around 6 months of age) better accommodates infants' varying rates of development and allows centers staff to work together with the infant's parents or guardians to determine when solid foods should be served. For more information and best practices on serving solid foods to infants, please see [Foods and Drinks for 6 to 24 Month Olds](#)

Section B – Breastmilk

Breastmilk is creditable as part of the CACFP meal pattern. Meals containing parent/guardian provided expressed breastmilk or when the mother directly breastfeeds the infant on-site are reimbursable, including meals when the infant is only consuming breastmilk.

The Academy of Pediatrics (AAP) recommends an optimal storage time of 72 hours for refrigerated expressed breastmilk. Accordingly, the length of time a sponsor may keep refrigerated bottles of fresh breastmilk is 72 hours from the date the breastmilk was expressed. Bottles of expressed breastmilk must be stored in a refrigerator kept at 40^o Fahrenheit or below. This is consistent with recommendations from the AAP and the Centers for Disease Control and Prevention from the time it was collected. For additional information on other breastmilk handling and storage guidelines please review [Storing and Thawing Breast Milk](#) from WIC Breastfeeding Support.

Expressed breastmilk provided by the mother should be properly identified and labeled with the infant's name and the date the milk was collected. Breastmilk identified for a particular infant should only be served to that infant. Breastmilk should be stored and handled according to applicable state and local laws and regulations governing health and safety standards.

To encourage parents to supply breast milk or to return to the center to breast feed, [Breastfed Babies Welcome Here](#) signage is available from the USDA.

Section C – Infant Formula

Sponsors with infants in care must offer to provide at least one infant formula to infants who are not breastfed, or when a supplement to breastfeeding is needed. The infant formula offered by the Sponsor must be iron-fortified and must meet the definition of an infant formula in section 201(z) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C.321 (z)] and meet the requirements for an infant formula under section 412 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a) and the regulations at 21 CFR parts 106 and 107. If a formula is purchased outside of the United States, it is likely that the formula is not regulated by the FDA. Infant formulas that are not regulated by the FDA are not creditable in the CACFP.

A parent or guardian may decline the offered infant formula and supply another infant formula or breast milk. Sponsors are not required to offer more than one approved infant formula. The sponsor must notify parents/guardians of the formula they offer. Sponsors notify the parent/guardian of the formula they offer by completing the Infant Formula Selection section of the CACFP Child Enrollment Form. The parent/guardian checks the appropriate statement to accept or decline the center provided infant formula.

Cows' milk in any form (whole, 2%, 1%) may not be served to infants under 1-year-old without a completed [Medical Statement for Food Substitutions](#) signed by a licensed physician or a State recognized medical authority on file. A State recognized medical authority for this purpose is a State licensed health care professional who is authorized to write medical prescriptions under State law. The [Medical Statement for Food Substitutions](#) should include a description of the infant's physical or mental impairment and an explanation of how to modify

the meal or meal service to accommodate the infant's disability. The statement must be kept on file by the center in order for the meal to be reimbursable.

Creditable Formula

Creditable formula is either an approved, iron-fortified formula intended for dietary use solely as a food for normal, healthy infants; or a formula that is authorized in writing by a recognized medical authority.

Low-iron formulas do not meet CACFP requirements and may be served only when a completed [Medical Statement for Food Substitutions](#) signed by a licensed physician or a State recognized medical authority is on file for the infant. A State recognized medical authority for this purpose is a State licensed health care professional, who is authorized to write medical prescriptions under state law. The medical statement should include a description of the infant's physical or mental impairment and an explanation of how to modify the meal or meal service to accommodate the infant's disability.

To determine if an infant formula is creditable, refer to the [Approved Formula List](#). If the formula is not on the *Approved Formula List*, the Sponsor must obtain written approval from ODE CNP before the formula can be offered in the CACFP. If the formula supplied by parent/guardian is not on the *Approved Formula List*, the Sponsor must obtain written approval from ODE CNP before claiming the infant's meals for reimbursement. To request approval for a formula not on the *Approved Formula List*, follow the below steps:

1. Ensure that the formula is not an [FDA Exempt Infant Formula](#).
2. Look for Infant Formula with Iron or a similar statement on the front of the formula package. All iron-fortified infant formulas must have this type of statement on the package.
3. Use the nutrition facts label as a guide to ensure that the formula is iron-fortified. The nutritive values of each formula are listed on the product's nutrition facts label. The FDA defines iron-fortified infant formula as a product which contains 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. To be considered iron-fortified, an infant formula must have 1 mg of iron or more per 100 calories of formula when prepared in accordance with label directions.
4. Ensure the formula meets the definition of an infant formula in [section 201\(z\) of the Federal Food, Drug, and Cosmetic Act \(21 U.S.C. 321\(z\)\)](#) and meets the requirements for an infant formula under [section 412 of the Federal Food, Drug, and Cosmetic Act \(21 U.S.C. 350a\)](#) and the regulations at [21 CFR 106](#) and [21 CFR 107](#). Requiring an infant formula be compliant with the FDA regulatory standards on infant formula is consistent with the Special Supplemental Nutrition Program for Women, Infants, and Children's (WIC) infant formula requirements and ensures that all infant formulas served in the CACFP meet nutrient specifications and safety requirements. If a formula is purchased outside of the United States, it is likely that the formula is not regulated by the FDA, and

therefore, it may not be creditable under the CACFP.

5. Submit the exact name of the formula (including the manufacturer's name) and a copy of the formula nutrition label to your Child Nutrition Specialist.

Sponsors may be reimbursed for meals and snacks served to infants that contain parent-provided, USDA approved formula as the only required component. This recognizes the non-food related cost of serving infants.

FDA Exempt Infant Formula

Formulas classified as Exempt Infant Formulas by FDA may be served as part of a reimbursable meal if the substitution is due to a disability and is supported with a [Medical Statement for Food Substitutions](#) signed by a licensed physician or a State recognized medical authority. A State recognized medical authority for this purpose is a State licensed health care professional, who is authorized to write medical prescriptions under State law. The statement must be kept on file by the center.

Serving Formula

The Oregon Office of Childcare (OCC) requires that infant formula provided by the center must be commercially prepared and iron-fortified. Formula prepared from powder or concentrate must be diluted according to manufacturers' instructions. When formula is prepared on site, it must be mixed in a kitchen approved by the local county sanitarian or health official, and the center must have a written plan for mixing formula and sanitizing bottles and nipples. The plan must be approved in writing by the county sanitarian or health official. Formula should be refrigerated, if required. Consult with an OCC certifier for questions about this rule.

Section D – Infant Feeding Recordkeeping Requirements

In addition to all other recordkeeping requirements (CACFP Child Enrollment Forms, attendance records, and meal counts) Sponsors have specific recordkeeping requirements for infants. Sponsors are responsible for collecting and maintaining [Daily Infant Menu Records](#) for all infant meals claimed.

Daily Infant Menu Records

Separate menus must be kept for infant meals. Infant menus must document:

- The infant's name and date of birth
- The menu date (month, day and year)
- The type of meal (breakfast, lunch, supper or snack)
- All actual food items served
- The name of formula or that breast milk was served

- If food or formula is supplied by the parent/guardian

Check the appropriate box to designate whether the infant is fed breastmilk or formula. If formula is offered, specify the name of the formula provided. If food and formula is supplied by the parent/guardian, the food or formula must be designated on the infant's menu record with "PS" for *parent-supplied* in addition to the actual food item or formula supplied. For example, if the parent supplies jarred baby food peaches, the infant menu record must document "PS, peaches" for the meal or snack when the item was offered. Staff must designate "PS" every time a required meal pattern component is supplied by the parent/guardian.

Staff may not write "PS" on top of the infant menu to cover meals and snacks provided for the entire day, week or month. The "PS" designation is used to verify that no more than one meal pattern component is supplied by the parent/guardian when determining reimbursable meals. If "PS" is not documented on the infant menu, ODE CNP will assume the food or formula was supplied by the sponsor.

One Month Enrollment Roster (OMER)

Sponsors must include all enrolled infants in the OMER month in the OMER, regardless of whether the infant's meals are claimed for reimbursement. See [Chapter 4 The One Month Enrollment Roster](#) for more information on developing the OMER.

Daily Meal Count Records

Because infants eat "on demand", infant meals must be recorded using a system that ensures only infants who receive a reimbursable meal are counted in the daily meal count. The [Daily Infant Menu Record forms](#) are designed to document each complete reimbursable meal for each infant before the meals are tallied and included in the claim for reimbursement.

Section E - Monitoring

The American Academy of Pediatrics (AAP) recommends introducing solid foods to infants around 6 months of age. In addition, the AAP recommends that by 7 or 8 months of age, infants should be consuming solid foods from all food groups (vegetables, fruits, grains, protein foods, and dairy). However, it is important to keep in mind that infants develop at different rates. Not all infants will be eating solid foods at 6 months of age, nor will all infants be eating solid foods from each food group by 7 or 8 months of age. Monitors should engage in a conversation with the center staff to learn more about the infant's eating habits and ensure that the meal being served is appropriate for that infant's developmental readiness.

If during a site monitoring review, the monitor observes an older infant (8 months or more) not being served solid foods, what is the best practice? The monitor should speak with the center staff to understand why the infant is not being served solid foods. Infants are typically developmentally ready to consume solid foods by 8 months of age; however, each infant develops at his or her own rate. If an 8-month old infant is not developmentally ready for solid foods and the center is serving the required minimum serving size for breastmilk or infant formula for the 6 through 11-month old age group, the meal is reimbursable. Monitors can remind center staff to work with each infant's parents or guardians to determine when and what solid foods should be served to the infant while he or she is in care.

If a center staff believes that an infant is developmentally ready to start eating solid foods, they should engage in a conversation with the infant's parents or guardians. The center staff can tell the parent/guardian about the signs they have seen indicating the infant is ready to start solid foods and ask if they would like solid foods to be served while the infant is in day care. Child care providers should be in constant communication with the infant's parents/guardians about the infant's eating habits as well as when and what solid foods should be served while the infant is in their care.

If the parent/guardian does not want their infant to be served solid foods while the infant is in care, the center should respect that decision and should not serve the infant solid foods. In this situation, as long as the center continues to serve the infant the required amount of breastmilk or iron-fortified infant formula, then the meals are still reimbursable.

Section F – Claiming Infant Meals

Sponsors may not claim reimbursement for meals served to an infant without a signed *CACFP Child Enrollment Form* on file.

Infant meals should be included when consolidating meal counts for all site participants prior to entering the meal totals onto the Sponsor's CNPweb Site Claim. They are not recorded separately on the reimbursement claim. Infants are reimbursed at the same reimbursement rate as other sponsor participants.

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CHAPTER 10 MENU RECORDS

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Section A – Developing Menus

When children are offered well-prepared foods in a variety of colors and flavors, they are more likely to taste, eat and enjoy them. Children who regularly consume a variety of foods also have a better chance of getting the nutrients needed for healthy growth and development. See the [Menu Evaluation Checklist on the Menu Planning Webpage](#) for some best practice menu planning recommendations.

Cycle Menus

A cycle menu is a series of menus planned in advance, served for a specific time period, and then repeated. ODE CNP recommends cycles of four to six weeks. Some Sponsors use a different cycle menu for each season of the year to include seasonal foods. For example, a summer cycle menu may include tomatoes, berries, melons, and other fruits and vegetables in season. Cycle menus save time and money by allowing menu planners to:

- Plan accurately
- Predict food costs
- Reduce waste
- Repeat grocery orders
- Vary meals
- Make food shopping and preparation more efficient

Section B – Menu Record Requirements

Sponsors must maintain menu records. All program records, including menu records, must be kept for three fiscal years, plus the current fiscal year (October to September.) Menu records must show the Sponsor is meeting program meal requirements. Menu records must be on file for all meals claimed for reimbursement and must be made available to reviewers during Administrative Reviews. The following menu records are required:

1. *Menus* – menus must show:

- Date (month, day, year the meals/snacks were served)
- Site name (location), if the Sponsor has more than one site
- The current USDA nondiscrimination statement
- Actual food items served – for example “WG Bread”
- Substitutions made to the planned menu (see [Meal Substitutions](#))
- Substitutions made for disabilities or medical or other special dietary needs (see [Meal Substitutions](#))
- CP (Commercially Prepared) or HM (Home Made) notations for combination food items on menus provided to ODE CNP or USDA during an administrative review. Commercially prepared food items must have a CN Label to be claimed as part of a reimbursable meal. If a CN Label is not available for a commercially prepared food

item, then a manufacturer's Product Formulation Statement (PFS) or Standard of Identity (if available) may be used to document the food's contribution to the meal pattern. For more information on CN Labels, manufacturer's PFS or Standard of Identity please see the section titled "Supporting Documentation".

Note: See the [Sample Menu Form](#).

2. **Infant Menus** – Separate menu documentation is required for each infant. Infant menus must document:

- The infant's name and date of birth
- The menu date (month, day and year)
- The type of meal (breakfast, lunch, supper or snack)
- All actual food items served
- The name of formula or that breast milk was served
- If food or formula is supplied by the parent/guardian

Note: See [Chapter 9 Infants](#) for more information on daily infant menu records. See the ODE CACFP website for the sample [Daily Infant Menu Record](#) forms.

3. **Recipes for homemade combination food items** - Recipes must document:

- Name of recipe matching the item as listed on the menu
- All ingredients with weight or volume amounts (ounces, pounds, cups, etc.)
- The form of each ingredient (cooked, raw, chopped, shredded, etc.)
- Serving size of the finished product for each age group served
- Yield (total number of servings the recipe makes, or total measured amount such as 1 gallon, two 11" x 13" pans cut in 24 pieces, etc.)
- The meal component contribution (i.e. Meat/Meat Alternate, Grains/Breads, Vegetables or Fruits)
- Child Nutrition (CN) labels, manufacturer's Product Formulation Statement (MPFS), or Standard of Identity product labels for any commercial combination food used as an ingredient in the recipe (Example: Sloppy Joe made with pre-cooked beef taco crumbles)
- Complete instructions for the preparation and service of the food item

An optional [Recipe form](#) to document homemade combination food recipes is provided on the Child Nutrition Programs website. Recipes must also be available for any homemade combination foods served to infants.

Note: [USDA Standardized Recipes](#) is a USDA resource containing crediting information for the

recipes. All the recipes contribute to reimbursable meals. ODE CNP recommends Sponsors use these recipes whenever possible. Another recipe resource is [Recipes for Healthy Kids: Cookbook for Child Care Centers](#). This resource has 30 recipes each with 25 servings.

Note: ODE CNP recommends that recipe crediting source(s) used to determine creditable amounts of components in each serving of the recipe be documented. The [USDA Food Buying Guide](#) is the approved resource for crediting homemade combination food recipes. See [Chapter 8 Meal Service Requirements](#) for more information about the *USDA Food Buying Guide*.

4. [Child Nutrition \(CN\) Label](#)- Commercially prepared combination food items must have a CN Label on file to document the crediting for meat/meat alternate and grain/bread if applicable. See the section in this chapter titled “Child Nutrition (CN) Labels” for more information.
5. [Manufacturer’s Product Formulation Statement \(PFS\)](#)- commercially prepared food items that do not have a CN Label must have a complete PFS on file for any food item that is served and counted toward required meal pattern components. See the section in this chapter titled “Product Formulation Statement (PFS)” for more information.
6. [Standard of Identity Product labels](#) – Required for all commercial combination food items that have a Standard of Identity and are served and counted toward required meal pattern components. See the section in this chapter titled “Standard of Identity” for more information.
7. Nutrition Facts labels with manufacturer’s name and brand name for breakfast cereals, yogurt and tofu. See the section in this chapter titled “Nutrition Facts Labels” for more information.
8. Ingredient Labels with manufacturer’s name and brand name for enriched and whole grain-rich products. See the section in this chapter titled “Ingredient Labels” for more information.

Other Menu Documentation Requirements

Whole Grain-Rich Foods

At least one serving of grains per day must be whole grain-rich. To demonstrate compliance with this requirement, Sponsors must document whole grain-rich foods on the menu. Some examples of how to document this information is listed below:

- When **all** grains/breads listed on the menu are whole grain-rich items the following statement may be written at the top or the bottom of the menu:
 - “All grains served are whole grains”
- When all the grain/bread items listed on the menu are not whole grain-rich, then each individual grain/bread food item that is whole grain-rich must be documented as whole

grain-rich next to the food item on the working menu. Some acceptable notations of whole grain-rich items are the following abbreviations:

- “WG” or “WGR” for whole grain or whole grain-rich
- “WW” for whole wheat

Breakfast Cereals

Breakfast cereals include ready-to-eat cereals and instant and hot cereals. Breakfast cereals must meet the sugar limit and be whole grain-rich, enriched or fortified to be creditable in the CACFP. When a breakfast cereal is served, the brand name of the cereal served and the name of the cereal must be documented on the working menu. This is required to verify that the breakfast cereal meets the sugar limit. An example of documenting a breakfast cereal is “General Mills Cheerios”.

Milk

For all milk listed on the menu, document the percent of the fat content for the milk served for each age group next to the milk component on the working menu.

- When flavored milk is served to children ages 6 and older or adults, document the fat content of the milk served and the flavor served (i.e. fat-free, chocolate)
- When the menu is used for only one age group, then the statement below may be written at the top or bottom of the menu:
 - For ages 12-23 months: “All milk served is whole, unflavored milk”
 - For ages 2-5: “All milk served is 1% (or fat-free as applicable), unflavored milk”
 - For ages 6 and older or adults: “All milk served is 1% (or fat-free as applicable) unflavored or non-fat (or 1% as applicable) flavored milk”. The Sponsor is required to document the flavor (chocolate, strawberry, etc.) of the milk on the working menu, when flavored milk is served for a meal or snack. Flavored milk may only be served to participants ages 6 and older or adults.
- When the menu is used for multiple age groups then a statement may be written at the top or the bottom of the menu:
 - “All milk served whole, unflavored milk for ages 12-23 months; 1%/fat-free unflavored milk for ages 2-5”
 - “All milk served is 1%/fat-free unflavored or 1%/fat-free flavored milk for participants ages 6-18 or adults”

Yogurt

When yogurt is served the brand name and the flavor of the yogurt must be documented on the working menu each time yogurt is listed on the menu. This is required to verify that the yogurt meets the required sugar limit. An example of a yogurt that meets the sugar requirement is Dannon Light & Fit Greek Strawberry Yogurt.

Meal Substitutions

Substitutions to the regularly planned menu must be documented. The documentation may be made on the working menu or on a separate document depending on the number and complexity of substitutions made.

The menu documentation should include:

- The date
- The meal or snack served
- The participant's name if the substitution is for a specific participant due to a disability or medical or other special dietary need
- The food item(s) substituted

Sponsors should contact their assigned Child Nutrition Specialist for further assistance in clarifying what documentation may be required for their program.

Supporting Menu Documentation

Sponsors are required to keep supporting menu information on file for three years plus the current fiscal year. The following are acceptable supporting documentation.

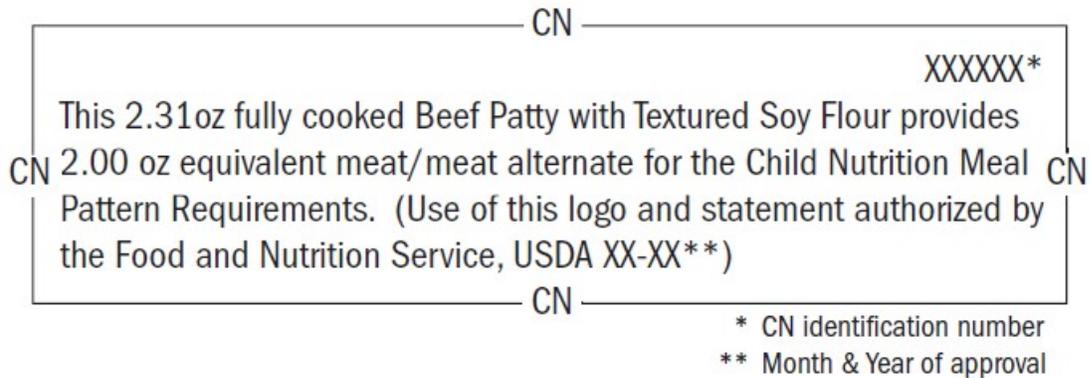
Child Nutrition (CN) Labels

The CN labeling program is offered by USDA Food and Nutrition Service as a voluntary technical assistance program for food companies that manufacture combination meat and poultry products or fruit juice products containing at least 50% full-strength juice. CN labeled products are not typically found in neighborhood grocery stores but are available through food brokers and food service distributors. Large warehouse-type food stores may also carry some CN labeled products.

CN labeled food products always have a *CN logo* and a *CN label statement* printed on the product package. The *CN logo* is a distinct box around the CN label statement with the letters "CN" printed midway on each side of the box. (See Image: CN Label 1) The *CN label statement* is inside the box and includes the following information:

- The product identification number;
- A statement of the product's contribution toward meal pattern requirements, i.e. the statement will identify the contribution of a specific portion of a combination meat product toward the Meat/Meat Alternate, Grains/Breads, and/or Vegetable/Fruit component of the meal pattern requirements;
- A statement that the product's CN labeling was authorized by USDA FNS; and,
- The approval date.

A sample CN logo:



See [Appendix C of the Food Buying Guide](#) for more information about what the CN label tells you.

The CN Label is only valid when the label is attached to the purchased product. Sponsors may keep the actual CN Label with the manufacturer's and product name from the original package. Instead of keeping actual labels for the product, sponsors may keep a photograph or a photocopy of the CN label logo with the manufacturer's and product name. Any of these options are valid for CACFP crediting purposes.

Sponsors are only required to keep one CN Label for each CN Labeled item that is on the menu regardless of the number of times the item appears on the menu. If a different brand of the same type of CN Labeled menu item is purchased (e.g., breaded chicken patties) the sponsor must keep a CN Label from the new brand as well as the CN label from the brand previously served.

The CN label statement on commercial food products carries a warranty, meaning that if the food item is used in accordance with the manufacturer's directions, the Sponsor will not have an audit claim against it for the CN labeled product for noncompliance with the meal pattern requirements. The CN label is only valid when the label is attached to the purchased product.

A CN label with a watermark is used when the CN logo and contribution statement are used on product information other than the actual product carton and is presented as a separate document. Manufacturers may provide schools with a CN label with a watermark during the bidding process. (Original CN labels on product cartons will not have a watermark.)

Sponsors should be aware that product information on the CN label with a watermark can be changed. Therefore, Sponsors are encouraged to verify that the CN label with a watermark came from a product that was purchased and accurately reflects that product. This helps to maintain the integrity of the CN Labeling Program by ensuring that the CN Label came from the actual product that was purchased.

Sponsors may document CN Labeled products as outlined below:

Documenting CN Labeled Product Requirements

The CN Label is the gold standard for verifying the crediting of menu items and provides a warranty against audit claims when the product is used according to the manufacturer's instructions. Acceptable and valid documentation for the CN Label includes:

- 1) the original CN Label from the product carton; or
- 2) a photocopy of the CN Label shown attached to the original product carton; or
- 3) a photograph of the CN Label shown attached to the original product carton.

(CN Labels that are photocopied or photographed must be visible and legible.)

Documenting Watermarked CN Label Requirements

If the original CN Label from the product carton, or the valid photograph or photocopy of the original CN label is not available, Sponsors may provide the Bill of Lading (invoice) containing the product name and:

- 1) a hard copy of the CN Label copied with a watermark displaying the product name and CN number provided by the vendor; or
- 2) an electronic copy of the CN Label with a watermark displaying the product name and CN number provided by the vendor.

When a valid CN Label or watermarked CN Label with Bill of Lading is provided, ODE CNP will not request additional crediting information such as a manufacturer's Product Formulation Statement (PFS). The PFS will only be requested when reviewing a processed product without a CN Label.

Note: Some CN labeled food products require a very large portion size to meet minimum Meat/Meat Alternate meal pattern requirements. For this reason, some CN labeled food products may not be good menu items for Child and Adult Care Food Programs serving young participants. Be sure to check CN labels for serving sizes to determine if the product is suitable for your Program.

Manufacturer's Product Formulation Statement (PFS)

Commercially prepared combination foods without CN Labels or the original product label showing the product meets USDA Standards of Identity must have a completed and signed PFS on the manufacturers' letterhead that demonstrates how the commercially prepared combination food contributes to the meal pattern requirements.

A PFS must be an *official product analysis sheet* from the food manufacturer, not an analysis or a product specification sheet from a salesperson. The PFS for a commercially prepared combination food product must include:

- A list of all ingredients, i.e. grain products must be specified whole grain or enriched;
- The *ingredient weight* per serving of each ingredient to be credited;

- The weight of the creditable ingredients specified as raw or cooked weight; and,
- The weight or volume of the product serving size, or the number of pieces per serving.
- A signature of the manufacturer's representative stating the information provided is true and correct.

The manufacturer must indicate how the claimed credit was determined. It is never acceptable for a manufacturer to simply state that the product provides a certain amount of credit for the child nutrition meal pattern. For example; fruit filled pancakes may not provide meat/meat alternate because it is not clear how the product contributes to the meat/meat alternate component.

[Standard of Identity Product Labels](#)

A *Standard of Identity* has been established by USDA for some commercial combination food products. A *Standard of Identity* specifies all ingredients and their quantities in order for a product to bear a *specific name*. For example, if a product is named "Chile con carne," which has a standard of identity, all chili con carne products will have the same primary food ingredients in the specific quantities required. The [Food Buying Guide for Child Nutrition Programs \(FBG\)](#) provides meat/meat alternate crediting information for some standardized combination foods.

Crediting information is provided for the meat/meat alternate component only and has been summarized from the FBG for Sponsors on the [Standard of Identity Chart on the ODE CNP webpage](#). The list is inclusive of all USDA evaluated products, except for combination fish products (breaded fish products do not have a *Standard of Identity* and may not be credited without a CN label or an MPAS). To credit the product for a second component, Sponsors must obtain a Manufacturer's Product Analysis Sheet from the manufacturer that documents the quantity of the other meal pattern component per serving.

To credit commercial combination foods in the CACFP meals without a CN label or PFS and using a Standard of Identity, the following requirements must be met:

- The name of the food on the product label must *exactly* match the name of the product listed in the FBG or on the summary list.
- Sponsors must maintain on file an actual product label or a photocopy of the product label that shows the product name exactly matches the name in the FBG on the summary list.
- The product is credited toward the meat/meat alternate component only.

Note: The product portion size needed to fulfill the minimum meat/meat alternate requirement may be unreasonably large for the age group served. Sponsors may choose to not serve the product or may serve a smaller portion with an additional meat/ meat alternate food item that, together, provides the full minimum quantity required.

Nutrition Facts Labels

When breakfast cereals, yogurt and tofu are served as part of a reimbursable meal or snack, a nutrition facts label with the manufacturer's name must be kept on file by the sponsor. The nutrition facts label serves to document:

- The amount of sugar in breakfast cereals.
- The amount of sugar in yogurt
- The amount of protein per 2.2 ounces of weight in tofu

The sponsor may keep the actual Nutrition Facts label with the manufacturer's name and brand or they may keep a photograph or photocopy of the label.

Ingredient list

The sponsor must keep an ingredient label with the manufacturer's name for all whole grain-rich items served as part of the reimbursable meal or snack. The sponsor may keep the actual ingredient list with the manufacturer's name or they may keep a photograph or photocopy of the ingredient

Section C – Administrative Review Disallowances for Menu Record Deficiencies

During administrative reviews, ODE CNP Child Nutrition Specialists observe a meal service and examine menu records. When menu records are not available to support the meals claimed for reimbursement, those meals will be disallowed and the Sponsor will be required to pay back reimbursement monies received for the disallowed meals. Menu record deficiencies resulting in disallowed meals are:

- Missing date on menus or undated cycle menus
- Missing supporting documentation or incomplete menu records for all required meal pattern components for all meal types claimed
- Missing Child Nutrition (CN) Labels, manufacturer's Product Formulation Statements (PFS) or Standard of Identity Product labels for commercial combination foods
- Missing Nutrition Facts labels to document the sugar content of ready-to-eat breakfast cereals or whole grain-rich products
- Missing recipes for homemade combination foods
- Food receipts do not clearly show that food items recorded on the menu were purchased during the time period covered by the test month for the administrative review

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CHAPTER 11 CIVIL RIGHTS

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Section A – Offering The CACFP In A Non-Discriminatory Manner

Civil Rights regulations are intended to assure that benefits of the Child and Adult Care Food Program (CACFP) are made available to all eligible persons. This includes:

- Making every effort in recruitment and enrollment procedures to allow equal participation by all eligible participants and potential participants regardless of race, color, national origin, sex, age, or disability.
- Distributing the [Confidential Income Statements \(CIS\) and the Letter to Households](#) and approving CIS in a way that is fair to all and does not discriminate based on race, color, national origin, age, sex, or disability.
- Serving meals in a way that allows equal participation regardless of race, color, national origin, age, sex, or disability.

Discriminatory practices

Discrimination is when an individual or a group of individuals are:

- Denied a benefit or service that others receive,
- Delayed receiving a benefit or service that others receive, or
- Treated differently than others.

When individuals or a group of individuals in a protected class (race, color, national origin, age, sex or disability) complain they have been discriminated against, it is the Sponsors responsibility to assist the complainants to report the alleged incident(s), investigate the incident in a fair and impartial manner, and to work with ODE CNP and/or the USDA to resolve the complaint.

Examples of discriminatory practices include:

- Refusing to allow an eligible child or adult to be enrolled based on his/ her disability
- Failing to provide participants with disabilities reasonable accommodations to receive benefits
- Serving meals at a place, time, or in a manner that discriminates based on race, color, national origin, sex, age, or disability
- Selectively distributing CIS forms to only some households (For example, distributing CIS forms only to those households the Sponsor thinks will qualify for Free or Reduced-Price eligibility)
- Failing to apply the same eligibility criteria to all potential participants

- Failing to provide materials that give non-English speaking persons full and equal opportunity to receive benefits

Obligation to Offer Infant Meals in the CACFP

All CACFP Centers must offer CACFP to all enrolled participants including infants.

See [Chapter 9 Infants](#) for more information on feeding infants on CACFP.

Section B – Collecting Racial and Ethnic Data

Collecting racial and ethnic data is required as part of the new sponsor and renewal application. It must be collected and reported annually. Sponsors must maintain racial/ethnic data for three years plus the current fiscal year. All racial/ethnic data are confidential and should be stored in a way that protects each participant's privacy. To collect and report racial/ethnic data, follow the steps below.

Collecting and Reporting Racial/Ethnic Data

The following information is required to be collected on the preliminary application, and then annually during the renewal process, found on the [ODE CNP webpage](#) (See the back of the form for Racial and Ethnic category definitions):

1. Determine and record the number of potentially eligible beneficiaries by the USDA racial-ethnic categories for the area served by each site. Sponsors may use the [county-level census data or other data from the United States Census website](#).
2. Collect actual participant data by racial-ethnic category for each CACFP site. Sponsors may collect racial/ethnic data of the participants from information provided on *Confidential Income Statements* by the household member completing the CIS. Since the racial/ethnic section on the CIS is optional for the household to complete, it may not be provided. If the racial/ethnic information is not provided by the household on the CIS, or the Sponsor does not distribute CIS, visual identification may be used to determine a participant's racial/ethnic category.

Once the Racial Ethnic Annual Data Collection Form has been completed, it is to be maintained with all documents for three years plus the current program year. The form is **NOT** to be sent to ODE CNP.

Section C – Public Notification

Each year at the beginning of the CACFP fiscal year, ODE CNP sends out a statewide public media release listing all Sponsors participating on the CACFP. The public notification describes program benefits and includes the USDA nondiscrimination statement.

Sponsors that are approved for CACFP participation in the middle of the program year must fulfill the requirement for public notification of program benefits by submitting a public news

release to their local media from which the Sponsor's program draws attendance. The news release must include the USDA nondiscrimination statement.

News Media Notification

In addition to the ODE CNP annual public notification, Sponsors may submit a public release to their local news media describing their specific program. Any news media release describing the CACFP must include the appropriate USDA nondiscrimination statement.

Minority and Grass Roots Organizations

All CACFP Sponsors are required to contact minority and grassroots organizations to recruit potential participants. Organizations to contact may include, but are not limited to, schools/colleges, early intervention, health care systems, child care provider organizations, religious organizations, and community and cultural outreach programs.

Section D – Complaint Procedure

Sponsors are required to develop and implement a written procedure to handle any discrimination complaint that may be received. Any person who believes he or she has been discriminated against in the CACFP based on race, color, national origin, sex, age, or disability has a right to file a complaint within 180 days of the alleged discriminatory action.

Complainants may choose to directly contact USDA with their complaint, they may notify ODE CNP or they may notify the Sponsor of their complaint.

Sponsors must give complainants a [Civil Rights Complaint Form](#) to complete and document all potential complaints in a [Civil Rights Complaint Log](#) . If the complainant completes a Civil Rights Complaint Form, he or she can return the completed form to the Sponsor, send it to ODE CNP, or send it to USDA. Sponsors must forward all discrimination complaints received to the Oregon Department of Education within three working days. The Civil Rights complaint should contain the following information:

- Name, address, telephone number of the complainant, if provided by complainant (complainants are not required to provide this information)
- Specific location and name of Sponsor or entity delivering the service or benefit
- The nature of the incident, action or method of administration that led the complainant to feel discriminated against

The Sponsor's written Civil Rights complaint procedure must describe:

- Where the Civil Rights Complaint Forms and Civil Rights Complaint Log will be kept at each site and at the administrative offices
- Who is trained on the Sponsor's Civil Rights procedure
- How Civil Rights complaints will be recorded in the Civil Rights Complaint Log

- Procedures for receiving and forwarding an alleged civil rights complaint see the [Civil Rights Complaint Procedure](#).

Section E – Civil Rights Training

All Sponsor staff involved in CACFP functions must receive annual training on Civil Rights requirements.

Staff training

The Sponsor must provide Civil Rights training to all staff involved in CACFP functions. Initial and annual Civil Rights training must be documented. Required training topics are:

- What is discrimination?
- Collecting and recording racial and ethnic data
- Where to display *And Justice for All* posters
- What is a Civil Rights complaint
- How to handle a Civil Rights complaint

Sponsors may use the [Civil Rights Training for Staff Form](#) or they may develop one of their own. Sponsors are encouraged to use the training webinars on Civil Rights located on the [ODE CNP CACFP Civil Rights web page](#).

Section F – Non-Discrimination Statement

Sponsors must display the non-discrimination poster, [And Justice For All](#), where parents, adult participants and the general public can see and read it. Whenever the CACFP or USDA is mentioned on Sponsor materials, the non-discrimination statement must be included on these published materials. Information that is directed to parents, employees, potential participants/ employees or other public groups and that mentions the CACFP or USDA meals must also include the non-discrimination statement. Informational materials that require the statement include:

- Employee handbooks
- Enrollment forms
- Menus sent home or posted for public view – Always require the nondiscrimination statement, even if USDA - CACFP is only implied.
- Newsletters
- Brochures
- Parent handbooks
- Print or broadcast advertisements
- Flyers

- Websites

The non-discrimination statement has two formats—Long Form and Short Form. The *Non-Discrimination Statement—Long Form* is required on all documents that are longer than one 8-1/2" x 11" sheet printed on both sides. The long form is required on all websites or other social media postings.

The *Non-Discrimination Statement—Short Form* may be used on any document that is one page or less (contained on an 8-1/2" x 11" sheet printed on one or both sides).

The non-discrimination statement must be in a font size that is equal to, or larger than, the majority of the text in any document, printed or electronic.

USDA Non-Discrimination Statement – Long Form

The box below contains the official USDA non-discrimination statement for Oregon. Paragraphs must be included verbatim on any document where the long form is required:

“In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form \(AD-3027\)](#). The form may be found at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov”

USDA Non-Discrimination Statement – Short Form

Material that is one page or less and is too small to include the full non-discrimination statement may use the following abbreviated statement:

"This institution is an equal opportunity provider."

Sponsors may choose to replace the word *'institution'* with their organization/ business name.

Section G – Limited English Proficiency (LEP)

Recipients of Federal financial assistance have a responsibility to take reasonable steps to ensure meaningful access to their programs and activities by person(s) with limited English proficiency.

Primary factors to consider when determining reasonable steps:

- Number or proportion in the eligible service population. The greater the number, the higher the need.
- Frequency of contact in the programs. The frequency with which sponsors have or could expect to have contact with an individual from different language groups seeking assistance. The more frequent the contact with a particular language group, the more likely enhanced language services in that language are needed.
- Importance of the service provided. Will denial of the service cause a serious, life-threatening implication?
- Resources available and the costs involved.

A sponsor's level of resources and the costs that would be imposed on it may have an impact on the nature of the steps it should take. Smaller sponsors with more limited budgets are not expected to provide the same level of language services as larger sponsors with larger budgets. In addition, "reasonable steps" may cease to be reasonable where the costs imposed substantially exceed the benefits.

Resource and cost issues, however, can often be reduced by technological advances, for example:

- The sharing of language assistance materials and services among and between sponsors, advocacy groups, and Federal grant agencies;
- Where appropriate, training bilingual staff to act as interpreters and translators;
- Information sharing through industry groups;
- Telephonic and video conferencing interpretation services;
- Pooling resources and standardizing documents to reduce translation needs;
- Using qualified translators and interpreters to ensure that documents need not be "fixed" later and that inaccurate interpretations do not cause delay or other costs;
- Centralizing interpreter and translator services to achieve economies of scale, or;
- The formalized use of qualified community volunteers, for example, may help reduce costs.

Sponsors should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns. Large sponsors and those sponsors serving a significant number or proportion of LEP persons should ensure that their resource limitations are well-substantiated before using this factor as a reason to limit language assistance. Such sponsors may find it useful to be able to articulate, through documentation or in some other reasonable manner, their process for determining that language services would be limited based on resources or costs.

For further information about LEP, please visit [the LEP Federal Interagency Website](#).

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Section A – Training Requirements

Federal regulations require the ODE CNP to provide training and technical assistance to CACFP Sponsors. ODE CNP provides annual training for current sponsors and training for new sponsors and new staff.

CACFP Sponsors are required to provide and document:

- Annual staff training
- New staff training

Sponsors are required to provide adequate training to all staff who are involved with CACFP operations and record keeping.

ODE CACFP Annual Training

Each year the person(s) who administers or oversees the CACFP must participate in the ODE CNP-sponsored CACFP Annual Training. ODE CNP notifies Sponsors of the dates and requirements for the mandatory Annual Training and provides registration information. Annual Training includes changes in policy and procedures, provides program updates, and focuses training on administrative review findings from the current fiscal year.

Per Federal regulations, all sponsors must complete ODE CNP CACFP Annual Training. Failure of the Authorized Representative and/ or the CACFP Food Program Coordinator to complete mandatory CACFP Annual Training will result in your organization being categorized as “seriously deficient” per Federal Regulation 7 CFR 226.6 (c) (3)(U).

ODE CNP “New Sponsor” and “Returning Sponsor” Training

ODE CNP training sessions are available on the ODE [CACFP training webpage](#). These training sessions provide information on all basic CACFP administrative and operational requirements.

New applicants to CACFP will be assigned to a Child Nutrition Specialist who will work with the applicant to identify all required training sessions for their program type as part of the application process.

For current Sponsors, the training sessions provide immediate access to all training information for program operation. The training sessions may serve as a refresher for current staff or provide new staff with thorough training in the specific CACFP tasks that will be assigned to them.

Topics covered include administration of the CACFP, record keeping requirements, meal pattern requirements, and Civil Rights requirements.

Sponsor or Applicant staff required to view the web-based training sessions include:

- Staff of organizations planning to apply for participation on the CACFP

- Current Sponsors required by ODE CNP to view training sessions as part of corrective action required due to findings during an administrative review
- Current Sponsors with a change of CACFP staff or staff in need of refresher training
- All owners of For-Profit organizations planning to apply for participation in the CACFP

Sponsor's Annual Staff Training

Sponsor Officials (Authorized Representative and/or Food Program Coordinator as listed on the Sponsor Information Sheet in CNPweb) are responsible for providing annual CACFP training to all pertinent staff who do not participate in the ODE CNP Annual Training.

Pertinent staff that must be trained annually include:

- Cooks and Assistant Cooks
- Teachers and Assistant Teachers who supervise and/or serve meals
- Staff that develop and plan menus
- Administrative staff who approve Confidential Income Statements, develop the OMER, and/or distribute and collect enrollment information
- Staff who perform site monitoring reviews
- Clerical staff who compile monthly meal counts and complete reimbursement claims
- Financial officers who document nonprofit food service

To determine staff training needs, review past training documentation, monitor a meal service, monitor record keeping, and read recent [ODE CNP memos and announcements](#) and correspondence. Sponsors may use all training sessions and other training tools posted on the [ODE CNP CACFP training website](#) to assist Sponsors with their internal CACFP training. Contact ODE CNP for more information.

Annual internal staff training is a *minimum* requirement. ODE CNP encourages Sponsors to train staff more frequently or on an ongoing basis.

Additionally, ODE CNP periodically issues new or revised policy through memoranda and revisions to this manual that may require Sponsor to provide additional training to staff during the year.

Training Sponsor's New Staff

In addition to annual training, all Sponsors must have a procedure for training new staff on CACFP requirements soon after they are hired. To provide adequate back-up, more than one staff person should be thoroughly trained in each CACFP function.

Sponsors of multi-site programs must provide training to staff at new sites before claiming

meals at those sites.

Training Documentation

All training must be documented with the following:

- The date (month, day and year)
- Time (start and end)
- Location of training
- The name of the trainer
- The topics covered
- The names, positions and signatures of staff in attendance
- The training material(s) used

Sponsors may use the [CACFP Staff Training form found on the ODE CNP website](#) to document staff training or they may develop a form of their own. If a sponsor chooses to develop their own form or training documentation, the sponsor-developed documents must contain all required information as outlined above.

Training Topics

Minimum training requirements for staff assigned CACFP duties must include all information appropriate to each assigned task. The topics that may need to be included for any individual or group of employees are:

- Meal pattern requirements for the ages of participants
- Serving sizes for the different age groups
- How to serve meals to participants
- How and when to record attendance
- How and when to take point-of-service meal counts
- How to approve Confidential Income Statements
- How to develop the One Month Enrollment Roster (OMER)
- How to ensure meals provided by vendors meet CACFP requirements
- Meal service styles (family, restaurant, cafeteria, combination style)
- Civil Rights requirements
- Accommodating children with special dietary needs

- Menu planning
- Health and safety requirements

If a Sponsor has infants in care, the following are required training topics for staff assigned CACFP duties for infants:

- Infant formula designation on Child Enrollment Form
- Meal pattern requirements for infants
- Recording daily menu requirements for infants
- How and when to record meal count for infants
- Creditable foods in infant meals

Recommended training topics for CACFP staff include:

- Sanitation requirements
- Encouraging healthy eating habits
- How to incorporate more whole grain foods, vegetables and fruits into menus
- How to use menu production records to plan for meals and shopping
- Ways to encourage participant milk consumption
- Kitchen safety
- Developmentally appropriate physical activities for young children

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Section A – General Requirements

A Sponsoring organization is entirely responsible for the administration of the CACFP in all of its facilities. This responsibility cannot be contracted out to another entity.

When submitting an initial application for CACFP participation, Sponsors of multi-site programs must fill out a [CNPweb Add Site/Modify Site Information Form](#) (Located on the CNPweb packet page) for each site. A site is generally defined as having its own physical address and/or requiring its own Oregon Office of Childcare (OCC) license. Multiple classrooms within one building are not considered separate sites.

Annual Budget

All multi-site sponsors are required to submit a budget to ODE CNP each year. ODE CNP may also request a budget revision when there are significant changes to the program.

Affiliated and Unaffiliated Site Identification

Sponsors must identify on the CNPweb Site Information Sheet whether the site is ‘affiliated’ or ‘unaffiliated’. The definitions as written in [USDA FNS Instruction 796.2 Rev. 4 “Financial Management—Child and Adult Care Food Program”](#) are:

- **Affiliated center** is a child or adult care center that is owned in whole or in part by a CACFP sponsoring organization.
- **Unaffiliated center** is a participating sponsored child or adult care center that is legally distinct from its sponsoring organization.

School districts with unaffiliated sites are exempt from this requirement.

Sponsoring an Unaffiliated Site - Additional Responsibilities

Sponsoring organizations that plan to provide services to unaffiliated sites must:

- Complete and submit to ODE CNP the *Child and Adult Care Food Program (CACFP) Agreement Between Sponsoring Organization and Unaffiliated Child Care Center*
- Submit a *CACFP Centers Budget form* (Located on the CNPweb packet page) for sponsors of unaffiliated sites
- Disburse funds to the unaffiliated sites within 5 days of the receipt of the reimbursement from ODE CNP
- Inform the unaffiliated sites they may directly enter into an agreement with ODE CNP

Adding a Site

Sponsors may not claim meals served at a site until all required documents are submitted and approved by the assigned Child Nutrition Specialist. It is important to submit the required documents to the assigned Child Nutrition Specialist well in advance of the proposed start

date. The Specialist will notify the sponsor in writing, of the approved claim start date.

Sponsors must submit to ODE CNP:

- CNPweb [Add Site/Modify Site Information Form](#) (Located on the CNPweb packet page) if a site is to be added.
- The Site Information Sheet on CNPweb.
- Site Pre-Approval Review documentation if requested by Specialist. The site start date for claiming meals cannot be before the site Pre-Approval Review date.

School districts are exempt from this requirement for sites located within school buildings (see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#)).

- Documentation of training for staff at new site.

School districts are exempt from this requirement for staff who receive meal service training on NSLP (see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#)).

- Other ODE CNP required documents such as a vended meal agreement or menu, or a [Child and Adult Care Food Program \(CACFP\) Agreement Between Sponsoring Organization and Unaffiliated Child Care Center](#) (Located on the CNPweb packet page). Claims may not be made before the signature date on this agreement.

Single-site Sponsors who Become Multi-site Sponsors

School Districts adding an Afterschool At-Risk site, or sites, please see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#) for specific information regarding becoming a multi-site Sponsor in CACFP.

If the addition of a site converts a single-site sponsor into a multi-site sponsor, you *must* submit all documents outlined above *and* the following to ODE CNP prior to the approval of additional sites:

- A new management plan with the section on Site Monitoring completed

School districts are exempt from this requirement (see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#)).

- A Budget

The Sponsor must also conduct a documented follow-up review within the first four weeks of CACFP operation at the new site(s). This documentation will be kept on file with the sponsor and unless requested, will not be submitted to ODE CNP.

Dropping or Inactivating a Site

If a Sponsor decides to drop or inactivate a site they must do the following:

- Submit to ODE CNP a CNPweb [Inactivate Site Programs Form](#) (Located on the CNPweb packet page)
- Go into the Site Information Sheet in CNPweb for the site to be dropped and unclick all claim months for which they will not be filing a claim

- Make an entry in the “General Comments” section at the bottom of the Site Information Sheet explaining the reason for the inactivation or closure and stating the last date on which reimbursable meals will be served
- Submit the Site Information Sheet for approval by ODE CNP

Disbursement of Funds to Unaffiliated Sites

Sponsors must disburse CACFP reimbursement funds to each unaffiliated site within five working days after they are received from ODE CNP. The Sponsor may not retain more than 15% of reimbursement for administrative costs.

School districts with unaffiliated sites are exempt from this requirement.

Section B – Site Monitoring Requirements

School Districts with Afterschool At-Risk sites please see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#) for specific requirements regarding site monitoring.

Sponsors with more than one site (multi-site) must conduct site monitoring reviews. Sponsors must use the ODE CNP [Site Monitoring Report for CACFP form located on to ODE CNP website](#).

SFAs that operate NSLP and the At-Risk Afterschool Meals and Snacks Program must continue to monitor their at-risk sites, though monitoring requirements of the CACFP At-Risk Afterschool meal sites may be aligned with those of NSLP. SFAs on the CACFP Afterschool At-Risk Meal and Snack Program may use the current [NSLP monitoring form located on ODE CNP webpage](#). This means monitoring for these programs must be completed for each site in the first four weeks of operation and a second monitoring review must be completed before the end of the program.

Sponsors must thoroughly train site monitors in CACFP requirements. The training must be documented and the training records must be kept on file with the Sponsor’s training records.

Sponsors must conduct regular reviews at all sites to determine compliance with meal patterns, record keeping, and other CACFP requirements. Site staff may not monitor their own site.

At a minimum, each site must have a monitoring review three (3) times a year with no more than six months between reviews. Two of the three reviews must be unannounced. At least one unannounced review must include observation of a meal service.

Sponsors are required to vary the timing of unannounced reviews so they are unpredictable to sponsored facilities.

Site Monitoring Reviews

Monitoring reviews during a meal observation must include a review of records to assess:

- Meal components
- Meal times

- Portion sizes
- Meal service style
- Meal count procedures
- Other Federal, State or Local approval (if applicable)
- Food safety and sanitation
- Health and safety violations
- Daily attendance records
- Five-day reconciliation
- Menus
- [Medical Statements for Food Substitution forms](#)
- Infant menu records, if applicable
- *And Justice For All* poster and *Building for the Future* flyer displayed where they can be read

Any problems or non-compliance findings during a site monitoring review must be followed up to ensure they have been corrected. The [Site Monitoring Report for CACFP form](#) must state the time frame for any required follow-up.

Sponsors are not required to annually review all meal services being claimed at each site, however, throughout the year the sponsor must review all meal service types claimed by the sponsor.

The percentage of all reviews conducted by the sponsor at the mealtimes should be *roughly proportional* to the percentage of each meal type claimed by its sites. For example, if 20 percent of the meals claimed by the sponsor in the prior year were breakfasts, a sponsor is required to conduct roughly (not exactly) 20 percent of this year's reviews at breakfast.

ODE CNP will determine whether the sponsor has made a reasonable effort to monitor all of the meal services being claimed by its facilities during an administrative review.

Health and Safety Violations

Although CACFP monitors do not routinely assess health and safety issues during their onsite reviews, they must still be trained to recognize conditions that pose an imminent threat to the health or safety of the participants. See [Chapter 1 Section C Health and Safety Violations](#)

Five-Day Reconciliation

As a part of the site monitoring review, the monitor must complete a review of five consecutive operating day's records for the current or previous month to determine whether the meal counts are accurate based on the attendance records for the five-day period. Five-day reconciliations are used to highlight problems in claiming procedures.

If the CACFP enrollment, attendance and meal count records are sent to the central office on a daily or weekly basis, the site monitor may conduct the five-day reconciliation as a “desk audit”.

Preliminary Steps:

Before conducting the actual five-day reconciliation, complete the following preliminary steps:

- Evaluate the center’s enrollment and attendance records, to ensure that they are current and accurate. If CACFP enrollment forms are not required, as in Outside School Hours Care Centers, Emergency/Homeless shelters, or At-risk afterschool care centers, the meal counts would be reconciled to attendance records.
- Compare the center’s total meal counts to its licensed capacity. Meal counts for any day or shift (if shift care is provided) should not exceed licensed capacity.
- Compare the center’s total enrollment to its recorded daily attendance, to ensure that the number of children in attendance does not exceed the number of children enrolled. If attendance does exceed enrollment, for any day or for any shift (if shift care is provided), determine the source of error (i.e. inaccurate attendance records, missing enrollment forms) before completing the five-day reconciliation.

To conduct the five-day reconciliation:

- If the site uses an actual count form: Cross check the attendance records with the meal count records for at least 10 percent of the number of participants enrolled at the site (no less than five participants); compare the participants present according to attendance records, to the meals and snacks claimed for those participants for the five consecutive day period selected for review. Only participants present during the meal times should have meal counts on record.
- If the site uses the head count form: Cross check the attendance records with the meal count records; compare the total number of participants present to the meals and snacks claimed for the five consecutive day period selected for review. There cannot be more meals claimed for reimbursement than participants present at the meal time for any particular day and meal. If the site has multiple classrooms, the five-day reconciliation must be conducted for a minimum of one classroom.

Sponsors must use the last five days of service, or the last five days of the prior calendar month when conducting the five-day reconciliation. Do not use the day of the review as one of the test days.

All sites:

- Disallow any meals claimed that are not supported by attendance records.
- Document all meals disallowed and required corrective actions on the Site Monitoring Report. All follow-up and corrective action taken must be documented.
- Notify the appropriate staff if meal disallows are found so the disallowed meals will not be included in the monthly reimbursement claim.

The five-day reconciliation of attendance and meal counts conducted during site monitoring reviews does not replace the accuracy checks to ensure the validity of the reimbursement claim prior to submission of the claim.

Vendor Contracts

If Sponsor purchases meals from a vendor, the monitor must check that the vended meals at each site comply with all CACFP requirements and that they are consistent with the [Vended Meal Agreement](#) (Located on the CNPweb packet page).

Food Service Management Companies and other vendors cannot monitor the sites or administer the CACFP. See [Chapter 14 Procurement](#) for more information on vendor contracts.

Civil Rights

Civil Rights compliance must be checked during monitoring reviews. The monitor must note any problems observed, and implement and maintain effective corrective action.

Site Monitoring Documentation

School Districts with Afterschool At-Risk sites please see [Chapter 15 Afterschool At-Risk Meals & Snacks Program](#) for specific information on site monitoring documentation.

Sponsors must document all site monitoring reviews by completing a [Site Monitoring Report for CACFP](#). The report must show the location and date of each site review, the meal observed, what was assessed, problems observed, corrective actions required, any training that was provided, and follow up action(s), if any. Site monitoring reviews should last through the entire meal session, so the monitor can observe the complete meal service, including point-of-service meal counts.

Follow-up Reviews for Issues Documented

If the monitor notes issues that need follow-up, a date for follow-up must be recorded on the original report, and the follow-up review *must* be conducted and documented with resolutions noted.

Review Averaging

All multi-site Sponsors must conduct an average of three site monitoring reviews of each CACFP approved site each year. Review Averaging allows Sponsors to focus more on sites that need additional oversight (due to staff turnover, etc.) and less time on sites that have demonstrated history of CACFP compliance and have not had staff changes.

Sponsors exercising this option must have a monitoring schedule in place at the beginning of each fiscal year that includes rationale as to why a site may be receiving more or less than three reviews.

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Section A – General Information

Procurement is the process of acquiring, by lease or purchase, products, goods, and/or services such as food, equipment, bookkeeping, and auditing. The purpose of an effective procurement procedure is to ensure that such products, goods, and/or services are obtained efficiently, economically and in compliance with state and Federal law.

All procurement transactions will be conducted in a manner providing full and open competition consistent with the standards of 2 CFR Part 200. Transactions must also follow state and local rules if more restrictive. All CACFP Sponsors are required to follow the procurement regulations as outlined in USDA FNS instruction 796-2, Rev. 4, *Financial Management—Child and Adult Care Food Program*. Please visit ODE CNP's [Nutrition Procurement Resources public website](#) for more information.

Note: School Districts (School Food Authorities—SFAs) participating on the CACFP may follow the National School Lunch Program (NSLP) procurement standards found in 7 CFR §210.21 in lieu of CACFP procurement standards at 7 CFR §226.22. NSLP has comprehensive requirements in these areas and compliance with the NSLP requirements satisfies the intent of the corresponding CACFP requirements. In addition, SFAs are not required to:

- Maintain food inventories separately for the various Child Nutrition Programs
- Allocate expenses to the separate Child Nutrition Programs

Section B – How to Procure

Determining an Acquisition Threshold

When obtaining goods and services with Federal funds Sponsors must ensure that procurement procedures are exercised in an effective manner and in compliance with Federal Regulations, State General Statutes and the sponsor's procurement plan.

The acquisition threshold set by Federal procurement law determines whether Sponsors can use the informal purchase procurement procedure or if they must use one of the formal purchase procurement procedures (see below-Section C Procurement Methods).

Sponsors may have more restrictive Acquisition Threshold than those set by Federal procurement law. Sponsors must determine the appropriate procurement procedure for their organization.

Section C – Procurement Method

The procurement method to be used for a given purchase is determined by examining the manner in which products, goods and/or services have been purchased in the past. Sponsors will examine past procurement patterns, vendors/contractors used and total dollar amounts spent for each type of good and service in addition to the total dollar amount paid to an individual vendor/contractor during a single fiscal year.

Depending on the program type and the type of purchase, Sponsors must use one of the following four methods of procurement. They are divided into informal and formal procurement procedures as follows:

Informal Procurement Procedures

1. Informal procurement

When the total cost of a good or service, or a group of similar items is less than \$150,000, or under the Sponsor's threshold, whichever is lower, the informal procurement procedure is used. This procedure is sometimes known as a price quote or a Request for Quote (RFQ) or comparison shopping.

The informal procurement procedure requires the Sponsor to obtain and document price quotations from an adequate number of qualified sources (for example, three vendors/contractors).

Micro-purchase (below \$3,000)

If a Sponsor is making a purchase under \$3,000 the Sponsor may do so without obtaining price quotes provided the price is reasonable and purchases are distributed equitably among qualified vendors/contractors. A Sponsor can simply gather three quotes from vendors/contracts that meet the needs. A Sponsor must not make all purchases from one source rather the sponsor must make purchases from all qualified sources equally.

The sponsor must keep all documentation for micro-purchases.

Formal Procurement Procedures

If the cost of a single good or service, or group of similar products, goods, and/ or services, is at or above \$150,000 or over the Sponsor's threshold, whichever is lower, one of the large procurement procedures must be used:

2. Competitive Sealed Bids also known as Invitation for Bid (IFB): This method is used when the only variable is the price of a product being purchased because the award must go to the lowest qualified bidder who meets the terms and conditions. The IFB requires clear, concise specifications. Sealed bids are accepted or rejected with no negotiation.

3. Competitive Negotiations also known as Request for Proposal (RFP): This method is used when price is not the only consideration. When the goal or objective is clear, but the good or service could be provided in a variety of ways and the purchaser is willing to evaluate multiple criteria, the RFP is appropriate. The RFP method requires more time for development, evaluation, and selection than the IFB.

4. Noncompetitive Negotiation: This procurement method can only be used under the following circumstances:

- After conducting an IFB and competition is inadequate (Example, if only one bidder responds to the IFB).
- An emergency exists where competitive procurement (IFB or RFP) would take too long.
- With prior authorization from ODE CNP the Sponsor can use noncompetitive negotiation.

Procurement Documentation

A Sponsor must develop and have on file written procurement procedures ([7CFR 226.22\(e\)](#)) for how the organization will:

- Purchase products, goods, and/or services
- Advertise (if needed) the products, goods and/or services it plans to purchase
- Select and evaluate various bids or proposals submitted by potential vendors/contractors.
- Evaluate potential vendors/contractors (e.g., the criteria that will be used for evaluation, such as integrity, compliance with public policy, past performance, and financial and technical resources)

Sponsors must maintain documentation on file for every procurement transaction made with CACFP funds. This documentation would include, but is not limited to:

- Copies of the documentation of the prices submitted by potential vendors/contractors
- Names of the vendors/contractors who submitted price quotations that were compared
- Identifying which vendor/contractor was chosen
- Stating why that vendor contractor was chosen

Request for quote (RFQ) documents need not be complex but must provide sufficient information to permit an eligible vendor to respond. At a minimum, include:

- A description of the products, goods, and/or services needed, including quantity
- The date by which the products, goods and/or services must be provided

- Request for written price(s) or quote(s) including the time period during which the price(s) or quote(s) valid
- If Sponsors obtain prices and quotes orally, by phone or in person, they must maintain written documentation identifying the pertinent details of the transaction including:
 - The name of the Sponsor representative soliciting the information
 - The names of the vendor/contractor solicited and the vendor/contractor representative providing the price or quote
 - The date the information was provided
 - The products, goods, and/or services to be purchased, including quantities upon which the price or the quote was provided
 - All terms or conditions imposed by either party
 - The time period during which the price or quote will be honored by the vendor/contractor

Sponsors must maintain documentation of the entire procurement process on file for three years plus the current fiscal year. During administrative reviews or audits, ODE CNP will review procurement documentation for purchases made with program funds.

Combination Funding

A program receiving a combination of funding from different sources with different cost threshold requirements must adhere to the lowest cost threshold.

Noncompetitive proposals

Procurement by noncompetitive proposals is:

- Solicitation of a proposal from only one source, or
- When no responses received after solicitation of a number of sources

Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals, and one of the following circumstances applies:

- The item is available only from a single source
- The public emergency for the requirement will not permit a delay resulting from competitive solicitation
- The awarding agency (ODE CNP) authorized noncompetitive proposals
- After solicitation of a number of sources, competition is determined inadequate

Open and Free Competition

Regardless of the method used, purchasing transactions must be conducted in a manner that provides maximum open and free competition. Procurement procedures may not restrict or eliminate competition. Examples of restrictive competition include:

- Placing unreasonable requirements on potential vendors in order to disqualify them

- Organizational conflicts of interest between the Sponsor and vendors/contractors
- Unnecessary experience and bonding requirements

Use of Small and Minority Firms

Small and minority firms, women's business enterprise and labor surplus areas firms are to be used when possible.

Geographic Preference

Defining the geographic area that is considered to be local is up to the purchasing institution. The purchasing institution may specifically identify the geographic area within which unprocessed, locally raised and locally grown agricultural products will originate. The purchasing institution must not define local in a manner that unnecessarily restricts free and open competition. Purchasing institutions are encouraged to purchase unprocessed locally grown and locally raised agricultural products so procurement may give preference to agricultural products that are grown or raised in the local area. Bids/quotes still must be obtained from several sources to ensure free and open competition.

Written Codes of Conduct and Performance

Sponsors are required to develop and implement a written code of conduct designed to govern the performance of employees engaged in procurement.

This code of conduct must prohibit employees from soliciting gifts, travel packages, and other incentives from prospective contractors. In addition, the code of conduct must prohibit an employee from participating in the selection, award, and administration of any contract to which an entity or certain persons connected to them, have financial interest. The code of conduct must also provide for Sponsors to set standards when financial interest is not substantial or the gift is an unsolicited item of nominal value and may be acceptable. Finally, the code of conduct must provide for disciplinary actions to be applied in the event the standards are violated. (See [USDA memo Written Codes of Conduct and Performance of Employees Engaged in Award and Administration of Contracts November 21, 2014.](#))

Section D – The Oregon Cooperative Procurement Program (ORCCP)

The Oregon Cooperative Procurement Program (ORCCP) allows all CACFP Sponsors access to state contracts to purchase products, goods and services. Current sponsors using the state contract save time and money. For information on this program please contact DAS Procurement Services Office at 503-378-3876 or mail to: EGSPSCustomerCare@das.state.or.us.

Please visit the [ORCCP website](#) for more information.

Section E – Vended Meals

Sponsors may contract with vendors to purchase meals and snacks. The decision to purchase meals from a vendor will depend on a variety of factors including each facility's availability of food service equipment, space, personnel, and budget. Meals may be purchased either in bulk or as pre-plated, individual meals. The contract may be for food preparation, only, or for preparation and delivery.

Meals not prepared by the Sponsor either on site (self-prep) or from the Sponsor's central kitchen are considered meals from an outside source.

A vendor may be:

- A private Non-Profit organization
- A Local Education Agency (LEA), or any other public entity
- A catering company
- A Food Service Management Company (FSMC) acting as a food vendor only—see [Food Service Management Companies](#) in this chapter for specific requirements

Sponsors need to follow procurement procedures for competitive procurement for obtaining CACPF meals.

Intergovernmental Agreement

This type of Agreement is between two public entities. When a Sponsor that is a public entity receives food, meals, and/or staffing from another public entity an Intergovernmental Agreement is used. (ORS 190.010)

If there is another Sponsor for the child nutrition programs that is willing to be the vendor/contractor, the Agreement may be awarded by direct negotiation with the other Sponsor without competition.

The Sponsor will retain all documentation in their files for review. Agreements developed under this option do not have renewal years available; they are negotiated each year.

Vended Meal Agreement

In a Vended Meal Agreement, the vendor/contractor does not directly manage any aspect of actually serving the food. Instead, the vendor/contractor provides only pre-packaged, pre-plated meals or food only.

When meal food costs will be under \$150,000 (or the Sponsor's acquisition threshold, whichever is lower) during the fiscal year and the Sponsor is providing the staff for serving the meals a Vended Meal Agreement is used. The Sponsor must document contact with at least three vendors/contractors and obtain competitive price quotations.

The Sponsor will retain all documentation in their files for review. Agreements developed under this option do not have renewal years available; they are negotiated each year.

Food Service Management Company Agreement

The [Food Service Management Company \(FSMC\)](#) provides services for Sponsors such as serving, producing, and supplying prepared foods. A Food Service Management Company (FSMC) is considered a vendor in CACFP Federal regulations.

In general, FSMC services will require a competitive procurement and resulting agreement as the yearly cost is over \$150,000 (or over the Sponsor's acquisition threshold, whichever is lower).

Sponsors typically use a Request for Proposal (RFP) format to procure a FSMC. The RFP format allows the Sponsor to award the Agreement based on a combination of lowest price and how well the proposals meet the evaluation criteria established by the Sponsor. Sponsors will need to submit a draft copy of Request(s) for Proposal to ODE CNP for review before soliciting vendor proposals.

When a school district is a Local Education Authority and a CACFP Sponsor and the district wants to contract with a FSMC for its food services, it must use an ODE CNP prototype Request for Proposal (RFP) and contract. The LEA-FSMC contract must be submitted to ODE CNP for approval *before* it can be signed by the parties.

The FSMC can do the following under CACFP regulations:

- Sell meals to a CACFP Sponsor
- Develop menus for the Sponsor's approval
- Provide required records associated with the production of food, such as:
 - Menus
 - Production records
 - Recipes
 - CN Labels
 - Manufacturer's Product Analysis Sheets (MPAS)
 - Standard of Identity labels
 - Product specifications
 - Provide [Daily Vendor Receipts](#)
 - Assist the Sponsor staff coordinator, or co-coordinators, with staff training, but

cannot serve as sole trainer

Sponsors that contract with a FSMC *must* do the following:

- Assign a Sponsor staff coordinator or co-coordinators with authority to manage the CACFP
- Assure overall compliance with all CACFP regulations
- Approve [Confidential Income Statements](#) and develop [the CACFP Child Enrollment Roster](#) for each participating site for which an OMER must be developed (see exception above for School Districts operating CACFP at sponsored sites)
- Submit all claims for reimbursement
- Monitor sites if a multi-site Sponsor (see [Chapter 13 Multi-Site Sponsors](#)) Correct problems found through site monitoring or record reviews
- Train staff with CACFP duties (see exception above for School Districts operating CACFP at sponsored sites)
- Attend/participate in ODE CNP annual training. Targeted annual training for school districts will be combined with NSLP trainings.
- Maintain control of the quality of the food service including approval of all menus
- Maintain all required CACFP records
- Maintain documentation of actual menus served and documentation demonstrating CACFP menu compliance such as (these records may be on file with the FSMC at the FSMC's office at a Sponsor's site):
 - Menus
 - Recipes
 - Menu production records
 - CN labels
 - Manufacturer's Product Analysis Sheets (MPAS)
 - Standard of Identity product labels
 - Daily Vendor Receipts
- Validate and submit reimbursement claims
- Review Daily Vendor Receipts and communicate with the FSMC
- Maintain invoices from the FSMC for CACFP meals purchased
- Complete annual ODE CNP renewal application

School District Sponsors only:

SFAs that contract with FSMCs for some or all aspects of the management of the food service program may allow the FSMC to conduct the same activities for all CACFP programs that are performed for NSLP.

Contracted Meal Service Requirements and Limitations

Sponsor and the successful proposer must enter into formal agreement and use the required Intergovernmental Agreement or *Annual Vended Meal Agreement form* (located on [CNPweb packet page](#)). For new sponsors, a draft copy of the *Annual Vended Meal Agreement* will be sent to ODE CNP for approval before the Agreement is fully executed.

Signing an *Annual Vended Meal Agreement* with a vendor does not relieve the Sponsor of its CACFP responsibilities of managing, monitoring, filing reimbursement claims and record keeping, including compliance with meal patterns, portion sizes and maintaining the quality of the food service.

Sponsor & Vendor Responsibilities

Sponsors and vendors/contractors have specific responsibilities when entering into an Intergovernmental Agreement, a *Vended Meal Agreement* or a FSMC Contract.

Sponsor Responsibilities:

- Review all menus prior to ordering to assure compliance with all Program requirements
- Receive copies of recipes, CN Label documentation, Standard of Identity labels (copies or originals) and Manufacturer's Product Formulation Sheets (PFS) for combination foods on menus and review for creditability before meals are delivered or served. This documentation must be on file with the Sponsor prior to receiving and serving vended meals.
- Work with the vendor/contractor to adjust menus as necessary to meet Program requirements
- Receive and retain all Daily Vendor/Contractor Receipts
- Ensure Sponsor and Vendor/Contractor representatives sign and date Daily Vendor/Contractor Receipts
- Examine meals as delivered for acceptability; document any discrepancies with food items or number of meals received at the time of receipt on the Daily Vendor/Contractor Receipt.
- Keep documentation of delivery times and temperatures of foods as meals are delivered
- Work with vendor/contractor to rectify any problems with service, food quality, frequent substitutions, or inadequate meals
- Pay vendor/contractor billing invoices as agreed upon in the Intergovernmental Agreement, Annual Vended Meal Agreement or FSMC Contract.

Vendor Responsibilities:

- Work with the Sponsor to plan meals meeting all CACFP requirements
- Provide copies of recipes, CN Labels documentation, Standard of Identity labels (copies or originals) and Manufacturer's Product Analysis Sheets (MPAS) for combination foods for review prior to the delivery of meals
- Provide wholesome foods
- Deliver meals on time and as agreed in the *Annual Vended Meal Agreement*
- Sign and date Daily Vendor Receipts at the time of delivery
- Keep delivery records showing time and temperatures of foods delivered
- Work with the Sponsor to make adjustments to menus and service, as needed
- Send billing invoices as agreed upon in the *Annual Vended Meal Agreement* or LEA-FSMC Contract.

Menus & Menu Records

The Sponsor is responsible for making sure all purchased meals and snacks are reimbursable. The Sponsor must review and approve menus submitted by the vendor/contractor. A Sponsor staff person who is knowledgeable of CACFP meal pattern, menu documentation and portion size requirements should review the menus for compliance with program requirements. See [Chapter 8 Meal Service Requirements](#) for more information on meal requirements.

The Sponsor is responsible for obtaining all required menu documentation from the vendor/contractor to support reimbursable meals prior to receiving and serving vended meals. This documentation is to be maintained on file by the Sponsor. See [Chapter 10 Menu Records](#) for more information on menu records requirements.

When planned meals do not meet all Program requirements the Sponsor staff person should consult with the vendor to modify the menu.

Daily Vendor Receipts

[Daily Vendor Receipts \(located on the ODE CACFP website\)](#) are necessary to document that food delivered from the vendor is consistent with the provisions of the Annual Vended Meal Agreement. Federal regulations specify that payment cannot be made for meals that:

- Do not meet meal pattern requirements
- Food that is spoiled or unwholesome at time of delivery.

Daily Vendor Receipts provide documentation for this requirement. Daily Vendor Receipts must include:

- Date of delivery
- List all food delivered in item count, weight or volume amount
- Provide instructions for portion sizes and serving details

- Document accurate food delivery time and temperatures
- Be signed and dated on delivery by the Vendor representative
- Be signed and dated on delivery by the Sponsor representative
- Verify consistency with provisions of the LEA-FSMC contract, if applicable

Sponsors may use the ODE CNP *Daily Vendor Receipt*, or develop their own daily vendor receipt. The Sponsor must maintain all Daily Vendor Receipts with other CACFP records.

Monitoring Delivered Meals

A trained Sponsor staff person should receive the food to verify the information on the *Daily Vendor Receipt* is accurate, determine if substitutions have been made and are acceptable, and to document and report any problems to the Sponsor.

Sponsor officials must routinely monitor meals provided by vendors. Multi-site Sponsors must do this as a part of their required site monitoring visits. Single-site Sponsors should document regular monitoring of vended meals. ODE CNP recommends the following checklist be used by all Sponsors:

- Does the approved menu represent the meals actually delivered?
- Are all required meal pattern components included?
- Are there frequent substitutions to the approved menus? If so, is the variety and acceptability of the menu maintained?
- Do all meals for the current month meet CACFP requirements?
- If meals are delivered, are meals or meal components counted at delivery, and any discrepancies recorded on the Daily Vendor Receipt or menu record?
- Are Daily Vendor Receipts maintained on file with the Sponsor?
- Are meals delivered at the agreed upon time?
- Are foods delivered and held at the required temperatures?
- Do all combination food items have a recipe, CN label documentation, Standard of Identity label or MPAS on file documenting creditable food components?
- Does the quality of food meet the specifications described in the FSMC contract or Annual Vended Meal Agreement?

Back-up System

The Sponsor must have a backup system in place in the event the vendor does not provide sufficient amounts of food or milk for all the participants present, or is unable to make a scheduled delivery due to unforeseen circumstances. A back-up system must be evident to ODE CNP during an administrative review.

Vendor/Contractor Records

The vendor/contractor must agree to maintain all records (invoices, receipts, recipes, original CN labels, Standard of Identity labels, MPAS, etc.) that are necessary to meet CACFP record keeping requirements. Records must be available to ODE CNP during administrative reviews or upon request.

To demonstrate the CACFP meal pattern requirements are being met, the vendor/contractor must:

- Provide Daily Vendor Receipts
- Provide menus on a monthly, weekly or daily basis
- Provide recipes; CN label documentation; Standard of Identity labels; and, MPAS to the Sponsor
- Demonstrate that state and local health and sanitation requirements are met at their food production facilities at all times.

The Sponsor may take action against the vendor/contractor for meals that do not meet CACFP meal pattern requirements, are spoiled or unwholesome or otherwise do not meet the terms and conditions of the Annual Vended Meal Agreement.

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The Afterschool At-Risk Meals & Snacks component of the Child and Adult Care Food Program (CACFP) offers Federal funding to afterschool programs that serve a meal and/or a snack to children in low-income areas.

Afterschool At-Risk Meals & Snacks Program Sponsors are required to comply with all CACFP requirements except those superseded by the program specific requirements found in this chapter.

Section A – Program Eligibility

Eligible Programs

To be eligible to participate in the Afterschool At-Risk Meals & Snacks component of CACFP either independently or through a Sponsor, an afterschool program must:

- Be organized primarily to provide for children afterschool or on the weekends, holidays, or school vacations during the regular school year
- Provide organized, adult supervised, regularly scheduled activities (i.e., in a structured and supervised environment)
- Include education or enrichment activities
- Be located in an eligible area
- Operate during the school year

Activities

Programs must provide educational or enrichment activities in an organized, structured, and supervised environment. Although there are no specific requirements for the types of educational and enrichment activities that a program can offer, examples include, but are not limited to, arts and crafts, homework assistance, life skills, remedial education, organized fitness activities, etc. Organizations should contact ODE CNP for assistance in determining if an activity is eligible.

Note: There is no requirement that all children receiving meals participate in the offered activities.

Sponsors may contract with another organization, including a for-profit entity, to provide enrichment or educational activities for the afterschool program. However, the Sponsor must retain administrative and fiscal responsibility for the meal service. Furthermore, the Sponsor must be the party that enters into the agreement with ODE CNP and must assume responsibility for meeting all meal service requirements, including ensuring that meals are served at eligible sites. [[CACFP 08-2012, At-Risk Afterschool Meals Component of the CACFP, Questions and Answers, February 17, 2012](#)].

Programs may be targeted to specific age groups or may accommodate the needs of a wide variety of ages. Programs that provide meals to various age groups also must provide educational or enrichment activities for the various ages of children served.

There is no requirement that the afterschool programs track the specific activities in which the children participate or document that the children participated in the offered activities. As long as appropriate educational or enrichment activities are provided, the site is eligible to serve meals to the children that attend the program.

Afterschool activities that are operated by non-school district staff are required to be licensed or recorded with the Oregon Office of Child Care. This includes instances when the site is in a school district building, but the organization leading the afterschool activity does not follow policies set or supervised by the school district administration. Please contact the [Oregon Department of Education- Early Learning Division](#) for more information.

Athletic Programs

Programs which are open to all and do not limit membership for reasons other than space, security, or licensing requirements or those that include supervised athletic activities together with educational or enrichment activities may be eligible.

Students who are part of school sports teams and clubs can receive afterschool snacks or meals as part of a broad, overarching educational or enrichment program offered by a school. Afterschool “drop-in” programs are acceptable. However, afterschool programs that include supervised athletic activity may participate as long as they are “open to all” and do not limit membership for reasons other than space, security, or licensing requirements. For example, an afterschool police athletic league program that uses sports and recreational activities to provide constructive opportunities for community youth could be approved to participate.

Stand-alone organized athletic programs engaged in interscholastic or community level competitive sports (for example, youth sports leagues, community soccer and football leagues, area swim team) are not eligible.

Special Needs Programs

Afterschool At-Risk Programs that are designed to meet the special needs of enrolled children or that have other limiting factors may be eligible to participate. These could include programs for children who have learning disabilities or for those who are academically gifted. Other targeted programs may be eligible as well.

Weekend, Holidays, and Vacations

Under the CACFP At-Risk afterschool meals component, meals and snacks may be reimbursed if they are served on weekends or holidays, including vacation periods (for example spring break), during the regular school year only. Meals and snacks served through CACFP on weekends or holidays during the school year may be served at any time of day approved by ODE CNP.

Expanded Learning Time Programs

“Expanded learning time” is a common term used in the education arena to describe schools or school districts that add significantly more school time for academic and enrichment opportunities to improve student achievement.

A school operating longer than the traditional school day may be eligible for afterschool snack reimbursement through NSLP or CACFP, or supper reimbursement through CACFP provided that it operates a school day that is at least one hour longer than the minimum number of school day hours required for the comparable grade levels by the local educational agency in which the school is located.

Organization Eligibility

Child Care Centers

While the At-Risk component of CACFP is primarily geared towards non-traditional child care centers such as drop in afterschool programs, child care centers already participating in CACFP also may participate. In this situation, children would attend the center after their school day or on weekends, holidays, or school vacation. Children who do not attend school would continue to participate in the traditional CACFP meal service provided by the center, even during the “afterschool” hours.

Sponsors operating both Child Care Center and Afterschool At-Risk Programs of the CACFP at the same site may only claim a total of two meals and one snack *or* one meal and two snacks per participant per day. These meals and snacks would include the meal and/or snack served as part of the Afterschool At-Risk Program.

For-Profit Centers

A For-Profit center may receive reimbursement for Afterschool At-Risk meals and snacks if it meets the eligibility requirements discussed above, and is eligible to participate in CACFP through its child care center program. This means that at least 25 percent of the children served by the center through its traditional child care center program are eligible for free or reduced-price meals based on their family income.

The 25 percent threshold is based on the center’s enrollment or the licensed capacity, whichever is less. It is calculated during the calendar month preceding application for Program participation and each month, thereafter.

Example: A For-Profit child care center located in a low-income area has 32 pre-school children enrolled for care. The center would be able to claim reimbursement through CACFP for Afterschool At-Risk meals or snacks in any month in which the Sponsor has documentation that at least 8 of the 32 pre-school children are eligible for free or reduced-priced meals.

Emergency Shelters

Emergency shelters that operate afterschool programs with education or enrichment activities for homeless children and youth during the school year may participate without regard to location.

Summer Food Service Program Sponsors

Many existing SFSP sponsors are also well-positioned to offer afterschool meals during the school year through CACFP. Both organizations and communities benefit when meals are offered to children in low-income communities year-round. Organizations benefit from having the ability to hire year-round staff, a continuous flow of reimbursements providing additional financial stability, and recognition in the community as a stable source of services.

Communities benefit by having a partner that provides year-round nutrition services for children and brings increased Federal funds into the local economy.

Area Eligibility

Afterschool At-Risk Meals & Snacks Program sites must be located in a geographical area within the boundaries of a school (an elementary, middle, or high school) in which at least 50% of the enrolled students in the preceding October are eligible for free or reduced-priced meals under the National School Lunch Program (NSLP). Refer to the ODE CNP's current [Free and Reduced Price Eligibility List located in the Packet tab of CNPweb](#). This list is updated annually.

Sponsors must obtain and submit proof that Afterschool At-Risk Meals & Snacks Program sites are area eligible. Acceptable documentation is:

- A letter or e-mail message from a school official stating that the site is located within the school attendance boundary of one of the schools on the above list
- A school boundary map showing the site is located within the school attendance boundary of one of the schools on the above list.

In school districts where busing or school choice policies are in place, if the site is located in the school from which the data is pulled, CACFP sponsors may always rely on the October NSLP free and reduced price meal data for that individual school. Additionally, where busing or school choice policies are in place, but school attendance areas are still defined, school and non-school site eligibility may be determined based on the October enrollment or attendance data obtained for:

- Free and reduced-priced eligibility of the students who actually attend the area school or;
- Free and reduced-priced eligibility of the students who would have attended the area school if it were not for the school busing or school choice policy. This option may be used only if the school food authority (SFA) is able to document the percentage of children eligible for free and reduced price meals at each school before and after students are reassigned.

If the school district does not have defined school attendance areas, the use of school data is not permitted for non-school sites. The SFA should contact their assigned Child Nutrition Specialist for assistance.

If an afterschool program is not area eligible, it may qualify to participate in CACFP as an Outside School Hours Care Center (OSHCC). OSHCCs, like at-risk afterschool care centers, provide organized nonresidential child care services to children during hours outside of school. Please [see Chapter 19](#) for more information on OSHCCs.

Private and Charter Schools

Private schools (and some charter and magnet schools) may use the October free and reduced-priced enrollment data for that private school or charter school, or free and reduced-price enrollment data for the public school attendance area in which the private school is located, to qualify as an eligible site.

Private schools (and some charter and magnet schools) located in school districts that do not have specific assigned schools but allow children to enroll in any of the area schools, Afterschool At-Risk Meals & Snacks Programs located in school buildings should use the free and reduced-price enrollment data from the school they are located in to determine area eligibility. Private schools (and some charter and magnet schools) located in non-school sites in areas with unassigned attendance areas should contact their assigned Child Nutrition Specialist for further information on determining site eligibility.

Eligibility Duration

A site's area eligibility determination for Afterschool At-Risk Meals & Snacks is valid for Five (5) years, even if the percentage of student's approved for free or reduced-priced meals at the school used to make the determination drops below 50% after the determination was made.

Disaster Response--Special Site Approvals

CACFP Site Eligibility--Based on the significant needs of each community, Food and Nutrition Services (FNS) Regional Offices may waive the requirements under CACFP that sponsors document that each site is serving an area in which poor economic conditions exist.

These requirements may be waived for existing eligible sites located in the area damaged by a natural disaster that must relocate to areas that are not eligible based on school or census data.

Participant Eligibility

Afterschool At-Risk Programs may claim reimbursement only for meals and snacks served to children who participate in an approved afterschool meal program and who are age 18 or under at the start of the school year. Federal law has no minimum age for at-risk participants.

EXAMPLES:

- 1) Serving lunch to children after half-day kindergarten or a half-day Head Start Program is allowable through the Afterschool At-Risk meals component of CACFP because their school day has ended. However, the same children who are receiving lunch in the Afterschool At-Risk Program are not to be served lunch at school as well.
- 2) A Boys and Girls Club on the Afterschool At-Risk Program offers afterschool activities to children during the school year. Children younger than school age may be claimed for Afterschool At-Risk meals and snacks.

Although the At-Risk Program is available to children of all ages, there is no requirement that each facility must serve the full age range of eligible children. For example, a program could operate at a high school and serve only high school-age students.

Licensing and Health and Safety Requirements

Sites must have a current Oregon Office of Childcare (OCC) license or be OCC recorded, unless exempt. Many afterschool programs operating in Oregon are exempt from OCC licensing. Contact [OCC](#) for further information on licensing requirements.

Sites that are exempt from state licensing or recording must either have:

- *Other Federal, State or local approval* (e.g., school district-operated site or 21st Century Learning Center); or,
- *Alternate Approval*: All sites must meet State and/or local health and safety standards. (see [Chapter 2 Application & Renewal](#))

School District Operated Non-District Sites

School districts may sponsor and operate the Afterschool At-Risk Meals & Snacks Program in sites that are not owned by the school district (e.g., a Boys & Girls Club). These sites must maintain their own required licensing or alternate approval as outlined above. School district operation of the Program does not relieve the non-district site of the requirement to maintain the state licensing, recording, or alternate approval requirements necessary for their individual program.

Operating an Afterschool At-Risk Meals & Snacks Program in Combination with Other CACFP Programs

Sponsors that are already participating in the CACFP through traditional Child Care Center Programs, Head Start centers, or Outside School Hours Care Centers (OSHCC) may qualify for the Afterschool At-Risk Meals & Snacks Program reimbursement if they meet the same Eligible Program criteria as all Afterschool At-Risk Meals & Snacks Programs as defined in Section A of this chapter.

Additionally, Afterschool At-Risk Meals & Snacks Program must be located in separate facilities from the traditional Child Care Center Program (at a minimum, a separate classroom).

Claiming Meals

Sponsors operating both the traditional Child Care Center and Afterschool At-Risk components of the CACFP must adhere to the meal limitation of claiming no more than two meals and one snack, or two snacks and one meal per child per day.

Reimbursement for meals other than Afterschool At-Risk Meals & Snacks are claimed and paid according to the Sponsor's OMER, which must be supported by current, approved C/S forms or alternate eligibility documentation. For example, meals and snacks served to preschoolers or to students receiving breakfast before school are claimed for traditional CACFP meal reimbursement.

Record Keeping

Separate attendance, and meal count records must be maintained for the Afterschool At-Risk Meals & Snacks participants in the traditional child care program. Sponsors also *must not* include those participants who participate exclusively in the Afterschool At-Risk Meals & Snacks Program in their OMER. However, participants participating in both traditional child care and the Afterschool At-Risk Program *would* be included on the CACFP Child Enrollment Roster and in the OMER.

Section B – Applying to Participate

Programs that are not a current CACFP Sponsor and are interested in applying to participate in the Afterschool At-Risk Meals & Snacks Programs should see [Chapter 2 Application & Renewal](#) for information on applying to become a CACFP Sponsor.

Current Child Nutrition Sponsors may amend their agreement to add the Afterschool At-Risk Meals & Snacks Program. However, all program records and participant tracking must be kept separately and an *Oregon Department of Education—Child Nutrition Programs Child and Adult Care Food Program State Agency-Sponsor Agreement--AMENDMENT* completed.

The following steps must be followed to add an Afterschool At-Risk Meals & Snacks Program site to an existing *State Agency-Sponsor Agreement*. Current CACFP Sponsors and School Districts participating in the National School Lunch Program will follow the application instructions outlined below based on program type.

Application Procedure for Current CACFP Sponsors

School Districts will follow the instructions in the section below [Application Procedure for School Districts Adding a CACFP Afterschool At-Risk Program](#).

All other current CACFP Sponsors should contact their assigned Child Nutrition Specialist as soon as they decide to add an Afterschool At-Risk Meals & Snacks Program site or sites. Sponsors will:

1. Submit an *Oregon Department of Education—Child Nutrition Programs Child and Adult Care Food Program State Agency-Sponsor Agreement--AMENDMENT* to add Afterschool At-Risk Meals & Snacks Program to the existing *State Agency-Sponsor Agreement*
2. Submit an [Add Site/Modify Site Information Form](#) (Located on the CNPweb packet page) for each site to be added
3. Complete and submit the CNPweb Sponsor and Site information Sheets for ODE CNP approval
4. Submit documentation of the site's area eligibility
5. If the addition of an Afterschool At-Risk site changes an independent center Sponsor to a multi-site center Sponsor, the Sponsor must submit a new [Management Plan and a New & Multi-site Center Sponsors Budget](#) (Located on the CNPweb packet page). Sponsor will now be required to perform site monitoring (more than one CNPweb site number), see [Chapter 13 Multi-Site Sponsors](#) for more information on site monitoring.
6. If adding Afterschool At-Risk to an existing site—Sponsor is not required to submit a new management plan or a multi-site budget
7. If requested by ODE CNP, submit a sample one-month menu and menu documentation,
8. If the site that is being added is an unaffiliated site, Sponsors must contact their assigned Child Nutrition Specialist.
9. Sponsors must:
 - Train staff responsible for CACFP operations at the Afterschool At-Risk Meals & Snacks Program site
 - Conduct a pre-approval review for the site if the Afterschool At-Risk Meals & Snacks Program site will operate in a building or location not already approved as a site in CNPweb. It is considered a best practice to conduct a pre-approval review for a program that is being added to a site that is already approved in CNPweb.
10. At its discretion, ODE CNP may conduct a Pre-Approval Review before approving the addition of a new Afterschool At-Risk Meals & Snacks Program site to an existing CACFP agreement.

11. Once the above-listed requirements are met and ODE CNP has approved all information, ODE CNP will notify the Sponsor of the approval of the Afterschool At-Risk Meals & Snacks Program participation and the start date (the date from which the Sponsor may begin claiming meals).

Application Procedure for School Districts Adding a CACFP Afterschool At-Risk Program

These instructions are for School District Sponsors (School Food Authorities—SFAs) adding CACFP to an existing NSLP or SFSP Agreement. Contact your assigned Child Nutrition Specialist as soon as you decide to add an Afterschool At-Risk Meals & Snacks Program site, or sites. Sponsors will:

1. Submit an [Oregon Department of Education—Child Nutrition Programs Child and Adult Care Food Program State Agency-Sponsor Agreement--AMENDMENT](#) (Located on the CNPweb packet page) to add Afterschool At-Risk Meals & Snacks Program to the existing *State Agency-Sponsor Agreement*
2. Submit a CNPweb [User Authorization Request and Certification form](#) (Located on the CNPweb packet page) for CACFP
3. Submit a CNPweb *New Sponsor Information* form to add CACFP to the Sponsor's CNPweb Sponsor file. The form will be sent to the Sponsor by the assigned Specialist.
4. Submit an [Add Site/Modify Site Information Form](#) (Located on the CNPweb packet page) for each site to be added
5. Submit documentation of site eligibility *if* the site is not located at the same address as an area-eligible school
6. Complete and submit the online CNPweb Sponsor and Site Information Sheets

On the CACFP CNPweb Sponsor Information Sheet applicants are required to provide the names and contact information for responsible principals and individuals. At a minimum, SFAs will enter the following principals and individuals: the school food service director, the accountant and the responsible administrator (principal or superintendent). SFAs on CACFP are not required to include the school district board chair unless it is the choice of the SFA to do so.

7. **Training**: SFAs applying to participate in the CACFP Afterschool At-Risk Program are not required to attend a separate training prior to participation. However, SFAs must inform administrative staff about Program requirements and attend necessary training offered by ODE CNP.
8. Enter the meal pattern type (CACFP or NSLP) selected in field 56 General Comments on the Site Information Sheet in CNPweb
9. **Contracting with a Food Service Management Company (FSMC)**: SFAs may comply with the NSLP requirements for contracting with an FSMC outlined in 7 CFR §210.16 in lieu of the CACFP requirements at 7 CFR §226.21. It should be noted, however, that the addition of CACFP At-Risk Afterschool meals may represent a material change to an FSMC contract. Contact the assigned Child Nutrition Specialist for further information regarding a material change.

SFAs that contract with FSMCs for some or all aspects of the management of the food service program may allow the FSMC to conduct the same activities for all CACFP programs that are performed for NSLP. See [Chapter 14 Procurement](#)—Food Service Management Companies for more information.

10. **Site Monitoring:** If the addition of the Afterschool At-Risk site changes an independent CACFP site Sponsor to a multi-site Sponsor, the Sponsor will now be required to perform site monitoring (more than one CNPweb site number). The monitoring requirements for SFAs may be aligned with those of NSLP. SFAs on the CACFP Afterschool At-Risk Meals & Snacks Program may use the current NSLP monitoring form. This means monitoring for these programs must be completed for each site in the first four weeks of operation and a second monitoring review must be completed before the end of the program. CACFP deficiencies identified through site monitoring must be addressed according to the CACFP regulations.
11. Submit ODE CNP-required off-line forms:
 - [Outside Employment Policy](#) (Located on the CNPweb packet page)
 - Sample one-month menu and menu documentation, if requested by ODE CNP
12. At its discretion, ODE CNP may conduct a Pre-Approval Review before approving the addition of a new Afterschool At-Risk Meals & Snacks Program site to an existing CACFP agreement.

Note: SFAs are not required to conduct pre-approval visits to schools already participating in NSLP.

Once the above listed requirements are met and ODE CNP has approved all information, ODE CNP will notify the Sponsor of the approval of the Afterschool At-Risk Meals & Snacks Program participation and the start date (the date from which Sponsor may begin claiming meals).

Transitioning from a Summer Food Service Program to the CACFP Afterschool At-Risk Program

Applications

ODE CNP is waiving several application requirements for SFSP sponsors in good standing that wish to apply to participate in CACFP for the *first time*.

SFSP Sponsors considered in good standing are those that did not have operational problems in the prior year and/or are not currently seriously deficient in their operation of the SFSP.

The following CACFP Afterschool Meals & Snacks Program application requirements are waived:

1. *New CACFP institution performance standards outlined in 7 CFR §226.6(b)(1)*. This is waived because SFSP sponsors are already familiar with operating a Child Nutrition Program. They are not required to provide documentation that they have practices in

place to ensure that the meal service, recordkeeping, and other Program requirements are performed properly. Successful operation of SFSP provides evidence of this performance standard.

2. *Management plans for single site sponsors.*

Note: Multi-site CACFP sponsors will be required to submit a CACFP management plan

3. *Unserved facility documentation:* CACFP sponsoring organizations are required to provide documentation indicating that they meet their State's criteria for ensuring delivery of benefits to otherwise unserved facilities or participants. ODE CNP already has a priority system in place for selecting SFSP sponsors to eliminate an overlap in service.

The following are required for participation in SFSP and therefore are not required to be produced as part of the CACFP application process:

1. *Area Eligibility Documentation:* SFSP sites that establish area eligibility through the use of school data may use their area eligibility determination for SFSP and CACFP Afterschool At-Risk Meals & Snacks Program for a period of five years. There is no need to re-establish area eligibility for CACFP. However, because area eligibility for the CACFP Afterschool At-Risk Meals & Snacks Program must be based on school data, SFSP sites that established eligibility using Census data or based on income eligibility forms must provide additional documentation indicating that they are area eligible based on school data.
2. *Non-discrimination Statement/Media Release:* ODE CNP issues the annual media release on behalf of CACFP sponsors.
3. *Health and Safety Inspections:* CACFP sites that are not operated by a school district or are licensed or recorded by the Oregon Office of Childcare will need a sanitation inspection annually and a fire inspection every two years. ODE CNP will accept documentation of current inspections obtained by a sponsor for SFSP.
4. *Documentation of Tax-exempt Status:* Private non-profit organizations are not required to resubmit documentation of tax exempt status for CACFP when such documentation was submitted for purposes of participation in SFSP.

As a reminder, institutions are no longer required to apply to CACFP annually. Once the initial application has been approved, limited annual renewal information is required (see [CACFP 19-2011, Child Nutrition Reauthorization 2010: Child and Adult Care Food Program Applications](#)).

Agreements

ODE CNP administers all programs through a single permanent agreement. SFSP sponsors interested in offering afterschool meals through CACFP during the school year are required only to sign an addendum to the existing SFSP agreement.

Training

Sponsors that participate in SFSP are familiar with operating a USDA Child Nutrition Program and will not be required to attend training prior to submitting a CACFP application. Similarly, members of the food service staff who receive meal service training under the SFSP are not required to attend separate CACFP training on meal services.

However, sponsor administrative staff must be informed about Program requirements and attend the necessary training. ODE CNP offers training on the Afterschool At-Risk component of CACFP as part of the [CACFP Policy and Procedure Manual for Center Based Sponsors on the public webpage.](#)

Monitoring Requirements

CACFP sponsors must conduct pre-approval visits to each center to discuss Program benefits and requirements and ensure that the facility is capable of providing the proposed meal service.

Sponsors that operate SFSP and CACFP Afterschool At-Risk centers are not required to monitor their sites following the SFSP requirements and then monitor those same sites again following the CACFP requirements during the school year. Instead, such sponsors may follow the CACFP monitoring schedule year-round.

If sponsors choose to follow the CACFP monitoring schedule year-round:

- One (1) of the three annual reviews must occur during the summer, review for SFSP requirements, include the review of a meal service, and be unannounced.
- Two (2) reviews must occur during the school year, review for CACFP requirements, at least one must include the review of a meal service, and at least one must be unannounced.

Financial Management

A sponsor's excess funds from either CACFP or SFSP may be used in its operation of other Child Nutrition Programs. Therefore, if at the end of the summer a sponsor has excess reimbursement from its operation of SFSP, those funds may be used for allowable costs in its operation of CACFP.

Section C – Meal Patterns and Food Service

Afterschool At-Risk meals and snacks may only be claimed during the school year. On school days Sponsors may serve supper and snack meal types. On non-school days (*weekends, holidays, down days or school vacations*) Sponsors may elect to serve and claim one meal

and one snack per participant per day from any of the six meal/snack types: breakfast, am snack, lunch, pm snack, supper, or evening snack. Afterschool At-Risk Meals & Snacks Program sponsors may serve a snack and/or a meal after the school day ends and on non-school days even if served outside the traditional mealtime.

An Afterschool At-Risk center may not claim meals or snacks during the summer, unless it is located in the attendance area of a school operating on a year-round calendar. All meals and snacks must be provided free of charge.

Snacks and meals must meet CACFP meal pattern requirements for components and portion size. Sponsors may serve and claim:

- One snack and one meal per participant per day; or,
- With ODE CNP prior written approval, Sponsors may serve two snacks per participant per day if the Sponsor cannot serve a meal. Sponsors that would like to serve two snacks, instead of one meal and one snack must complete the information on meal types and times on the CNPweb Site Information Sheet. Write an explanation in field *61 General Comments* stating the reason why the site cannot serve a meal and report by meal type on the CNPweb reimbursement claim.

Programs that serve both a snack and a meal (or two snacks) must have a minimum of 2-1/2 hours between the start time of one meal/snack and the start time of the second meal/snack. There is no minimum time between the end of the school day and the meal or snack service, but it must be served during the operation of the afterschool care program.

Centers may serve different meals and/or snacks on different days or to different groups of children. For example, a site could serve lunch and a snack to children who attend half-day kindergarten and then serve a snack and supper to older children who attend full day school. Sites may also serve a supper and then a snack.

Meals and/or snacks served on weekdays when school is in session must be served after the child's school day has ended. Meals and/or snacks served on weekends, school breaks, school vacations or holidays may be served at any time of day approved by ODE CNP. Meals served before school, during the school day, or during the summer may not be claimed for reimbursement through the Afterschool At-Risk Meals & Snacks Program.

In areas where schools operate on a year-round basis, Afterschool At-Risk Meals & Snacks Programs set up to serve children attending the year-round schools may receive reimbursement for meals and snacks through the CACFP all year including summer.

In areas where the school week has been shortened to 4 or less days if the school offers an enrichment activity program on the non-school days it may serve a meal and/or snack as part of the program.

In areas where the school operates a longer than traditional school day they may be eligible for afterschool snack or meal reimbursement through CACFP. The school day must be at least one hour longer than the minimum number of school day hours required for the comparable grade levels by the local educational agency in which the school is located. If the district's change to a four-day week schedule increases the school day at least one hour

longer than the State's average school day or the school day of the surrounding schools, the district may be eligible for Afterschool At-Risk meals or snacks. For more information contact your Child Nutrition Specialist.

Afterschool At-Risk Meals & Snacks Program Sponsors that are also Local Education Agencies (LEA) operating the National School Lunch Program (NSLP) may be reimbursed for snacks and meals that meet the ODE CNP-approved NSLP menu planning option.

The CACFP meal pattern for 6-12 year olds is used to determine minimum portion sizes for all reimbursable meals and snacks although increased portion sizes are encouraged, if appropriate. See [Chapter 8 Meal Service Requirements](#) for the CACFP Meal Pattern Chart.

Offer Versus Serve (OVS)

At the discretion of the Afterschool At-Risk Sponsor, participants may be permitted to decline a certain number of components offered without affecting the reimbursement for the meal. This provision is called "offer versus serve" (OVS). OVS is only allowed for breakfast, lunch and supper meals. **OVS is not allowed at snack.** OVS may not be implemented at snack because there are only two required components, and therefore, there is not enough food to allow a participant to decline some foods and ensure that the snack the participant takes is nutritionally sufficient. Using OVS can help Sponsors reduce food waste and cost while maintaining the nutritional value of the meal served. Using OVS is optional.

Under OVS, all meal pattern component servings in the correct serving sizes must be *offered*, but the participant can decline up to 1 meal pattern component item for breakfast, and up to two meal pattern component items for lunch or supper.

The participant must, however, take full portions of the remaining meal pattern components in order for the Sponsor to claim the meal for reimbursement.

Sponsors must be approved by ODE CNP to use OVS in the Afterschool At-Risk Programs before implementing this meal service style.

Afterschool At-Risk Meal Pattern Offer Versus Serve Requirements

Breakfast (only offered on non-school days)

When using OVS at breakfast, at least the following four food items, in the required minimum serving sizes, *must be offered*:

A serving of milk

A food item from the fruit or vegetable component

A food item from the grain component

A food item from the meat/meat alternate or one additional item from the fruit or vegetable component or grains component

A participant must take at least three different food items from any of the food items offered. The food items selected may be from any of the required components and must be in the required minimum serving sizes

Lunch/Supper (lunch may only be offered on non-school days)

When using OVS at lunch or supper, at least one food item from each of the five food components, in the required minimum serving sizes, required at lunch and supper *must be offered*:

A serving of milk

A food item from the vegetable component

A food item from the fruit component

A food item from the grain component

A food item from the meat/meat alternate

Note: All five components must be offered and a vegetable may not be substituted for a fruit in OVS. A participant must take at least three food components, rather than three items, to ensure the adult takes an adequately nutritious meal. For instance, a hamburger on a whole wheat bun and milk would count as a reimbursable meal. Alternatively, the participant may also choose to take broccoli, a pear, and milk for a reimbursable meal.

If the menu planner offers combination foods or two or more food items from one food component, such as bread and rice, instructions or signs must be available to let supervisors and participants know what choices make up a reimbursable meal. The instructions and signs should let a participant know that they cannot select two of the same food items or components. For example, a participant could not select two pieces of toast and milk and have it count towards a reimbursable breakfast because only two different food items were selected. Additionally, a participant could not select two servings of chicken and one serving of rice and have it count towards a reimbursable lunch because only two components were selected.

Taking Food Components off-site

At-Risk Afterschool sponsors may allow participants to take one vegetable, fruit, or grain item off-site to eat at a later time. The food item the participant takes off-site must be from the participant's own meal or snack, or left on a share table by another participant who did not want it. Sponsors must ensure that allowing food items to be taken off-site is in compliance with local and State health and safety codes.

ODE CNP encourages At-Risk Afterschool sponsors to use this flexibility to increase children's consumption of vegetables and fruit, and help reduce potential food waste in the CACFP. It is important to note, though, that at-risk afterschool sponsors must have the capacity to monitor the site when food items are being taken off-site to prevent any food safety or integrity issues from arising.

Sharing Tables

To avoid food waste, sponsors may designate a “sharing table” where food items participants do not want to eat may be placed for another participant to “share.” These food and beverage items are then available to other participants who may want additional servings. The “sharing table” must be in a location that is beyond the point-of service meal count position (e.g., separate from the end of the cafeteria line, or on another table if using restaurant style meal service).

Before implementing a “sharing table,” sponsors are responsible for contacting their local health department concerning policies regarding re-use of foods left on the “sharing table.”

Recycling of Meal Components from a Sharing Table

The recycling of served milk that is unopened and retrieved for re-service or the re-service of other items as a component of another reimbursed meal is permitted if such practice is not contrary to applicable State and local health codes. Sponsors are responsible for contacting their local health department concerning policies regarding which types of food items may be recycled for re-service.

If the practice of recycling meal components is extensive, appropriate measures should be taken to increase consumption through proper and appealing service, nutrition education and other means.

Donation of Leftover Foods - Food Donation Policy

ODE CNP is committed to preventing hunger and to responsible stewardship of Federal dollars. Child Nutrition Program policy aims first to limit food waste and unnecessary costs. If a CACFP Sponsor has leftover food on a frequent basis, menu planning and production practices should be adjusted to reduce leftovers.

Nevertheless, because of unforeseen circumstances, occasionally there will be leftover food. All alternatives permitted by Program regulations and State and local health and sanitation codes should be exhausted before discarding food. Options may include using leftovers in subsequent meal services; offering *sharing tables*; or, transferring food to other sites, if a multi-site Sponsor.

Where it is not feasible to reuse leftovers, excess food may be donated to a nonprofit organization, such as a community food bank, homeless shelter, or other nonprofit charitable organizations.

Section D – Reimbursements

All meals served to all participants in this program are reimbursed at the Free reimbursement rate. It is not necessary for sponsors to make eligibility determinations based on household income. Therefore, Afterschool At-Risk Meals & Snacks Programs are not required to distribute or collect *CIS* forms or to develop a One Month Enrollment Roster (OMER).

Section E – Required Record Keeping and Reporting

Sponsors that operate only Afterschool At-Risk Meals & Snacks Programs do not have to collect *CIS* forms or develop an OMER since all snacks and suppers are reimbursed at the Free rate.

The following records must be maintained:

- Daily attendance records or roster sheets with arrival and departure times OR “Present/Absent” notations
- Point-of-service meal or snack counts (See [Chapter 5 Enrollment, Attendance & Meal Count Records](#)).
- Menus of snacks and meals which include the date and all food components served establishing that the meal patterns were met (See the [Sample Menu Form – on the Afterschool At-Risk CACFP webpage](#)).
 - SFAs that choose to use the NSLP new meal pattern in the CACFP Afterschool At-Risk Meal & Snack Program will maintain the NSLP-required meal pattern documentation.
- Documentation of non-profit food service including itemized food receipts.

Note: School Districts will validate non-profit food service via annual submission of the Single site audit and financial evaluation during Coordinated Review Effort (CRE), however, itemized food receipts must be available for review to substantiate all food items documented on the menu.

- Site monitoring documentation if the Sponsor operates more than one site (See [Chapter 13 Multi-Site Sponsors](#) for more information on site monitoring)
 - SFAs may align their site monitoring with the NSLP site monitoring requirements. SFAs on the CACFP Afterschool At-Risk Meal & Snack Program may use the current NSLP monitoring form. This means monitoring for these programs must be completed for each site in the first four weeks of operation and a second monitoring review must be completed before the end of the program.
- Documentation of staff training (See [Chapter 12 Training Requirements](#) for more information on training requirements).
 - SFAs may align their training with the NSLP staff training requirements. Members of the food service staff who receive meal service training under the NSLP are not required to attend separate CACFP training on meals.
- Civil Rights Policy and complaint procedure and Racial Ethnic Data Collection. (See [Chapter 11 Civil Rights](#) for more information on Civil Rights requirements).
- [Medical Statements for Food Substitutions forms](#) (See [Chapter 8 Meal Service Requirements](#) for more information on food substitutions.)
- Independent Centers or Sponsors must notify the ODE CNP of any substantive changes to the Afterschool At-Risk Meals & Snacks Program, including changes to existing sites, contact information, and key staff. Sponsors who want to add new Afterschool At-Risk Meals & Snacks Program sites must provide the ODE CNP with information indicating that the new sites meet Program requirements, including area eligibility. These sites must be approved before claims may be submitted.
- Proof of site eligibility – OCC licensing, OCC recording, other Federal, state or local approval, or alternate approval, as applicable.

Section F – USDA At-Risk Afterschool Handbook

In June 2012 USDA issued [At-Risk Afterschool Meals – A Child and Adult Care Food](#)

[Program Handbook](#). The handbook provides further guidance on applying for and operating an Afterschool At-Risk Meals & Snacks Program. ODE CNP encourages Sponsors to use this resource.

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CHAPTER 16 HOMELESS & EMERGENCY SHELTERS

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Homeless and emergency shelter Sponsors are required to comply with all CACFP requirements except those superseded by the program-specific requirements found in this chapter.

Section A – Program Eligibility

Eligible Sponsors

Emergency shelters that participate in CACFP provide residential and food services to children experiencing homelessness.

To be eligible, the shelter must be a public or private nonprofit institution or a temporary residential site sponsored by a public or private nonprofit agency. The shelter may participate as a facility under an existing CACFP sponsor, or complete an application and sign an agreement directly with the CACFP State Agency.

Eligible Sites and Licensing

Eligible sites include emergency shelters, domestic violence shelters, and some transitional housing providers. Shelters must provide temporary residential and food services to homeless children and their parents or guardians. Shelters must have documentation of current, satisfactory sanitation and fire/safety inspections. Unlike most other CACFP facilities, emergency shelters do not have to be licensed to provide day care. However, the shelter must meet any health and safety codes that are required by State or local law.

Disasters

During a disaster emergency shelters that provide temporary housing to displaced families are eligible to participate in CACFP. When ODE CNP designates a facility as an emergency shelter, all children through age 18 may receive up to three free meals (breakfast, lunch, and supper) each day. Where significant numbers of persons are being temporarily housed, ODE CNP may designate any *appropriate facility* as an emergency shelter, and may waive application requirements in these situations.

An *appropriate facility* may include a school or an institution which, although is not providing actual shelter, is nevertheless providing meals to displaced families who are being temporarily housed elsewhere, in locations that may not have the means to provide meal services to these temporary residents.

Eligible Participants

CACFP provides up to three meals a day for children age 18 and younger living in homeless shelters. CACFP serves children, including teenagers 18 and younger, who are emergency shelter residents. Persons with disabilities, regardless of their age, may also receive CACFP meals at the shelters where they reside.

Residents who receive their meals at the shelter are automatically eligible for free meals. There are no application forms for parents/guardians or participants to fill out.

All reimbursable meals are served in group settings, at no cost to the child, the child's parents or guardians or disabled participant.

Children and youth 18 years of age and younger who are temporary residents of the shelter are eligible to participate. Participants with disabilities, regardless of their age, temporarily residing in the shelter are also eligible.

Reimbursement Rate

All meals and snacks served to eligible children are reimbursed at the Free rate. Shelter Sponsors are not required to make eligibility determinations based on income. Therefore, shelter programs are not required to distribute and collect *Confidential Income Statements* or to develop a One Month Enrollment Roster (OMER).

Reimbursable Meals

Emergency shelters receive payments for serving up to three meals each day to each eligible resident, on weekdays and week-ends.

Meals and snacks must meet CACFP meal pattern requirements and must be provided to eligible participants free of charge. Shelters may be approved to be reimbursed for up to three reimbursable meals (breakfast, lunch, and supper) or two meals and one snack, per participant per day. Meals must be served in congregate meal settings. Meals served in private family quarters are not eligible.

The CACFP meal pattern for 6-12 year olds is also used to determine minimum portion sizes for all meals and snacks for children ages 13-18 years. See [Chapter 8 Meal Pattern Requirements](#) for more information.

Shelters may use donated foods to prepare reimbursable meals. However, the shelter must be able to show that all CACFP reimbursement is used for food service and that no profit is made. See [Chapter 7 Non-Profit Food Service](#) for more information on documentation that is required to demonstrate nonprofit food service.

Feeding Infants

Emergency shelters serving infants must offer meals to infants and must offer an infant formula that meets program requirements. If a parent declines the formula offered by the facility, the parent can provide a different brand of formula. Sponsors need to document a parent's decision to decline the offered formula, however, in order to minimize the recordkeeping burden this can be done as simply as a notation on the meal count record or attendance record.

Exception for Infants' Meals Served in 'Private Family Quarters'

Meals provided for infants from birth through age 11 months but served outside the congregate setting may be claimed if the shelter:

- Provides all of the required components to the infant's parent or guardian; and
- Maintains records documenting that meals met the meal pattern requirements.

Section B – Record Keeping Requirements

USDA recognizes the difficult circumstances homeless families face and has modified the record keeping requirements for homeless and emergency shelters. However, homeless shelters must be able to accurately document the number of meals served to eligible children.

Shelter providers do not have to ask families to fill out any application or enrollment forms for children served through the CACFP. *Confidential Income Statements* and the OMER are also not required since all meals and snacks are reimbursed at the Free rate.

The Sponsor must maintain the following records:

- Documentation showing each participant resides in the shelter
- Daily attendance records
- Point-of-service meal counts, identified by child's name and age
- Menus of meals and snacks served to children which include the date and all food components served, with separate dated menus for infants
- Documentation of non-profit food service including itemized food receipts
- Site monitoring documentation (if Sponsor operates more than one site)
- Documentation of staff training
- Civil Rights related records
- [Medical Statements for Food Substitutions forms](#)

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Sponsors of CACFP Head Start must comply with all CACFP requirements except those superseded by the Head Start program-specific requirements found in this chapter.

Section A – Overview

Head Start centers, Early Head Start centers, and Oregon Head Start Pre-Kindergarten (OHS Pre-K) Programs participate in the Child and Adult Care Food Program (CACFP) either as independent centers or under the auspices of a sponsoring organization. Center-based, home-based, and combination Head Start models are eligible to receive meal reimbursement for meals served in congregate meal settings in an ODE CNP-approved child care facility. Because of the unique nature of Head Start and Early Head Start, the USDA and ODE CNP have modified some of the record keeping requirements.

Site Approval

Federal or State approved Head Start sites qualify for CACFP as “Other Federal, State, and Local Approval.” In CNPweb Sponsors will select “Other Federal State or Local Approval” on the CNPweb Site Information Sheet. They will put in their approval type as “Fed Head Start/Ore Pre-K.”

Sites that provide “wrap-around,” full day care for participants must have a current Oregon Office of Childcare (OCC) license. Current OCC license number and information is to be entered by the Sponsor in the “General Comments” field on the appropriate CNPweb Site Information Sheet(s) and kept up to date throughout the year as expiration dates change.

Head Start Program sites that are exempt from OCC licensing requirements must be an [OCC Recorded Preschool](#). Current OCC Recorded Preschool number and information is to be entered by the Sponsor in the “General Comments” field on the appropriate CNPweb Site Information Sheet(s) and kept up to date throughout the year as expiration dates change.

Section B – Automatic Free Meal Eligibility for Head Start Enrollees

All children enrolled in Head Start, Early Head Start and OHS Pre-K Programs are automatically eligible for free meals in Child Nutrition Programs even if the child did not qualify for Head Start based on income. All reimbursable meals served to children enrolled in Head Start/OHS Pre-K programs may be claimed at the free rate.

On the October reimbursement claim for each site, Head Start sponsors will enter the total number of enrolled Head Start children in the Free category and will report “0” children in the Reduced-priced and Above-Scale categories.

Sibling and/or community slot children do not automatically qualify for free meals. If a Head Start/OHS Pre-K site(s) wants to claim meals for siblings and/or community slot children, they must collect and approve Confidential Income Statements (CIS) for those children and develop a One Month Enrollment Roster (OMER) for the site(s) serving siblings and/or community slot children. [Confidential Income Statements and the One Month Enrollment Roster template are both available on the *Forms and Documents* webpage](#). See [Chapter 4 The One Month Enrollment Roster](#) for more information on developing an OMER.

CACFP Child Enrollment Forms

CACFP Child Enrollment forms must be on file for all participants whose meals will be claimed for reimbursement. Please see [Chapter 5 Enrollment, Attendance & Meal Count Records](#) further instructions on [CACFP Child Enrollment Forms located on the Forms and Documents webpage](#).

Certifying Head Start Eligibility for Other Sponsors

If a Head Start/OHS Pre-K participant is in care at a child care center participating in CACFP, the center may claim the child in the Free category without a completed CIS if they have an official document from a Head Start/OHS Pre-K program stating the child is enrolled for the current school year.

ODE CNP requests Head Start sponsors provide parents/guardians of participants an official document stating that the participant is enrolled in the Head Start program. The document (e.g., a letter) should state the enrollment year, be dated and signed by a Head Start official.

A sample letter could state:

Jane Doe is enrolled in the (name of sponsor) OHS Pre-K program for the 20__-20__ school year. If she is also enrolled in a child care center that participates in the Child and Adult Care Food Program, present this document as a certification that your child is enrolled in OHS Pre-K and you will not be required to complete a *Confidential Income Statement*.

ODE CNP is also aware that some Head Start/OHS Pre-K programs transport children to centers or homes. If this is the case, the Head Start/OHS Pre-K program may provide the center with an official document on the sponsor's letterhead, which lists the names of the Head Start/OHS Pre-K-enrolled children, the school year (e.g. 20__-20__). The document must be signed and dated by a Head Start official.

Section C – Developing the OMER – if claiming meals for siblings and/or community slot children

On the October reimbursement claim, Head Start/OHS Pre-K Sponsors must fill in the OMER numbers. For further information on completing the OMER see [Chapter 4 The One Month Enrollment Roster](#). The OMER must include all participants, and only those participants, who are *enrolled* in the OMER month. *Enrolled* means there is a *CACFP Child Enrollment Form* on file. Sponsors of Head Start/OHS Pre-K programs must develop a system for ensuring that the OMER is accurate. The system must address ways to:

Determine Income Eligibility

- Identify siblings of enrolled participants whose meals will be claimed for reimbursement.
- Identify community slot participants (non-Head Start or OHS Pre-K-funded participants) whose meals will be claimed for reimbursement.

- Distribute, collect, and approve the *C/S* for those participants.

Develop the CACFP One Month Enrollment Roster

- Annually collect a CACFP Child Enrollment Form for all Head Start/OHS Pre-K enrollees, siblings and children in community slots.
- Develop an October CACFP One Month Enrollment Roster that includes all children *enrolled* in October at the site(s).
- Indicate on the CACFP One Month Enrollment Roster each sibling and/or community slot child's income eligibility category based on the eligibility determination from the *C/S*. All Head Start/OHS Pre-K enrollees will be entered as "HS free."
- Report the OMER numbers tallied in the OMER block at the top of the roster form for Free, Reduced-Price and Above-Scale on the October reimbursement site claim for the site(s) in the section ***Center Operating and Enrollment Data (Must reflect the claiming period)***—fields 1-4 on the site claim.

When ODE CNP conducts an administrative review, the Sponsor will be asked if there are siblings and/or community slots being claimed at any site. If yes, ODE CNP staff will review the approved *C/S* forms for siblings and community slot children, the October OMER for the affected site(s), and all CACFP Child Enrollment Form(s).

Some Migrant Head Start programs may have substantial changes in their attendance patterns after October. These programs may submit a request for a revised OMER. Sponsors must submit requests in writing to their ODE CNP assigned specialist.

Section D – Recording Attendance

All Head Start/OHS Pre-K classrooms must record daily attendance. Depending on the situation, either recording In/Out times or present/absent may serve to document daily attendance.

Present/Absent

For part-day classrooms which have a distinct start and end time, arrival and departure times are not routinely required. A record of each participant's presence or absence is sufficient. Deviations from the normal school day, such as late arrivals and early departures must be recorded with In/Out times.

Full Day

Full day, "wrap-around" classrooms must document actual In/Out times as required by the Oregon Office of Childcare. There must be a system in place for recording In/Out times when parents fail to do so.

School Bus Transport

For those participants who are transported by school bus, a "B" may be used to indicate their arrival or departure on the bus. The scheduled arrival and departure time of the bus must be documented on the attendance record.

Siblings and Community Slot Children

When siblings and/or community slot children are in the classroom and their meals are claimed for CACFP reimbursement, their attendance must be documented on the Daily Attendance Record with their first and last names and In/Out times recorded. It is not sufficient to record only presence or absence for these participants.

Section E – Family Style Meal Service

According to Head Start performance standards, meals in Head Start programs should be served “family style.” This style of meal service often enhances young participant’s acceptance of offered foods and affords them latitude in the size of initial servings. Family style meals served in compliance with the following practices are eligible for CACFP reimbursement.

Food Preparation

A sufficient amount of prepared food and beverage must be placed on each table or be “readily available” to provide the full required portions of each of the food components for all participants at the table, and to accommodate adults who participate in the meal. See [Chapter 8 Meal Service Requirements](#) for more information on the definition of “readily available.”

Although meals served to adults are not eligible for CACFP reimbursement, it is important that the number of adults who eat are included when menu planning. Because supervising adults as well as parent and sibling visitors routinely eat meals with participants, Head Start programs must ensure that adequate amounts of foods are purchased and prepared to feed all participants, visiting siblings and adults.

Meal Service

Every participant should initially be offered and encouraged to take the full portion of each meal component required for his or her age group. If a child initially refuses a component or does not take the full portion, the supervising adult is responsible to actively encourage the child to at least take a trial portion, or offer a second helping of the food component during the course of the meal. A supervising adult must be seated at each table for the duration of the meal.

Section F – Claiming Meals Served to Non-Head Start or OHS Pre-K-Funded Participants (“Community Slots”)

Some Head Start sponsors have participants whose slot is paid for by a funding source other than Head Start or Oregon Pre-K. *If this is the case, the participant is not automatically eligible for free meals.*

To claim these meals, a Head Start Sponsor must follow the instructions in “[Section C: Developing the OMER](#)” in this chapter.

Section G – Claiming Meals Served To Sibling Visitors

Siblings of Head Start/OHS Pre-K—enrolled children are not automatically eligible for Free meals.

If sibling meals are not claimed, Head Start/OHS Pre-K programs are not required to develop an OMER and all Head Start/OHS Pre-K—enrolled children will be reimbursed at the Free Rate.

CACFP regulations do not require Head Start/OHS Pre-K programs to claim reimbursement for meals served to siblings. It is each Head Start/OHS Pre-K sponsor's choice to decide if it will claim meals served to sibling visitors.

If a Sponsor chooses to claim meals for siblings of Head Start/OHS Pre-K enrolled children the Sponsor must:

- Collect and approve CIS for the families.
- Follow the instructions in [Section C: Developing the OMER](#) of this chapter for each site claiming siblings.
- Maintain compliance with other requirements as described in this chapter.

Meals served to participants' siblings, age's birth through 12 years of age, must:

- Meet CACFP meal pattern requirements in order to claim the meals for reimbursement.
- Contain all required meal pattern components and be served in the required portion sizes based on the child's age. Siblings must be included on the meal count form. Sibling meal counts must be recorded using the "actual count" method. See [Chapter 5 Enrollment, Attendance & Meal Count Records](#) for more information on the "actual count" method of meal counts. The sibling's full name, date of birth and the name of the participant the sibling is related to must be documented.

Meals claimed for reimbursement for infant siblings must be consistent with all infant feeding regulations. See [Chapter 9 Infants](#) for more information on infant meals.

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CHAPTER 18 FOR-PROFIT PROGRAMS

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Sponsors of CACFP For-Profit programs must comply with all CACFP requirements except those superseded by the For-Profit program-specific requirements found in this chapter.

Section A – Qualifying as a For-Profit Program

For-Profit (also referred to as “Proprietary”) CACFP Sponsors may be any qualifying private, For-Profit organization that provides nonresidential day care services and meets one of the following criteria in the month preceding initial application or reapplication and each month thereafter for each site claimed:

- 25% Title XIX of the Social Security Act (Medicaid) Eligibility—Adult Day Care Centers only

OR

- 25% Free & Reduced-Price Eligibility

Both methods for qualifying to claim meal reimbursements are determined monthly on a site-by-site basis. It is possible that not all sites will qualify to claim meal reimbursement every month.

Sponsors may use the [For-Profit Monthly Site Eligibility Calculation](#) worksheet to assist in determining each site’s percentage of Title XX/XIX or Free and Reduced-Price-Eligible participants.

25% Title XIX Eligibility—Adult Day Care Centers

For-Profit Sponsors may qualify if a site has 25% of current enrollment or 25% of licensed capacity, whichever is less, receiving Title XIX funds. Current enrollment is defined as participants that are currently enrolled during the claim month. Licensed capacity is defined as the capacity listed on the site’s certification.

For-Profit Sponsors must maintain on file the Title XIX funds eligibility documentation for each participant counted in the 25% on file for every month a reimbursement claim is submitted.

Sponsors must use the following process to determine 25% eligibility for each site every month prior to submitting a claim for meal reimbursement to ODE CNP:

- Use current Title XIX funds eligibility documentation that has been received for the claim month.
- Create a [CACFP One Month Enrollment Roster](#) for each claim month listing all enrolled participants.
- Document on the [CACFP One Month Enrollment Roster](#) the date on the Title XIX Medicaid eligibility documentation for each participant for whom benefits have been received. This date goes in the column headed:

FOR-PROFIT ADULT
SITES ONLY:

SUBSIDIZED CARE

(TITLE XIX) PMT
DATE—

see #12 on Instructions

- The total the number of participants with a Title XIX funds eligibility documentation date listed will be tallied in the box in the header of the roster shown below:

Total Title XIX Beneficiaries

- To get the percentage Title XIX-eligible participants at the site, take the total from the box shown above on the roster and divide that number by the total number of participants listed on the enrollment roster, or the licensed capacity of the site, whichever is less. Use the [For-Profit Monthly Site Eligibility Calculation worksheet available on the Forms and Documents CACFP webpage under “Misc. Forms”](#) to assist in determining the correct percentage.
- If the site has greater than or equal to 25% Title XIX-eligible participants during the month, the site qualifies for CACFP meal reimbursement in that month.

25% Free & Reduced-Priced Eligibility

For-Profit Sponsors may qualify for CACFP reimbursement in a given month if 25% of the site’s current enrollment or 25% of its licensed capacity, whichever is less, are eligible for Free or Reduced-Price meals in that month. Sponsors must use the following process to determine 25% eligibility for each site every month prior to submitting a claim for meal reimbursement to ODE CNP:

Use current Confidential Income Statements (CIS), or other eligibility documentation to determine each participant’s eligibility category. See [Chapter 3 Eligibility Determination](#) for more information on determining a participant’s eligibility category.

- Create a [CACFP One Month Enrollment Roster](#) for each site for each claim month listing all enrolled participants.
- Document on the [CACFP One Month Enrollment Roster](#) the eligibility category (Free, Reduced-Price or Above-Scale) of each participant based on the current and

approved CIS or other eligibility documentation on file. Count participants who do not have a current and approved CIS or other eligibility documentation on file as Above-Scale.

- The total the number of participants in each of the three eligibility categories will be tallied in the One Month Enrollment Roster (OMER) block in the roster header.
- To get the percentage of Free and Reduced-Priced participants at each site, total the number of participants who are Free and Reduced-Price eligible and divide that number by the total number of participants listed on the enrollment roster, or the licensed capacity of the site, whichever is less. Use the [For-Profit Monthly Site Eligibility Calculation](#) worksheet to assist in determining the correct percentage.
- If the site has greater than or equal to 25% Free and Reduced-Price eligible participants during the claim month, the site qualifies for CACFP meal reimbursement in that claim month.

Requirement to Determine Site For-Profit Eligibility Monthly

Sponsors must determine if all For-Profit sites meet or exceed the 25% eligibility requirement before submitting the site claim in CNPweb for each Sponsored site. The sponsor must maintain documentation demonstrating it verified For-Profit eligibility for each site for which meals are claimed.

A Sponsor may not round up when determining the 25% eligibility. A site with only 24.9% of its current enrollment and only 23% of licensed capacity eligible for Free and/or Reduced-Price is *not* eligible for meal reimbursement that month. CNPweb will calculate the site eligibility as noted in Section B below.

Section B – Submission of a Claim for Reimbursement

Depending on the information used to qualify the site, the For-Profit Sponsor will submit the following in the site claim in CNPweb:

1. Total Title XIX eligible participants (Adult Day Care Centers only); or, total Free/Reduced-Price Eligible participants;
- and**
2. Current total enrollment or licensed site capacity, whichever is less.

When completing the site claim(s) in CNPweb the For-Profit Sponsor will enter the numbers determined above in the following spaces on the claim:

For-Profit Sites Only:

- Total Title XIX Beneficiaries (Adult Day Centers only) or F/RP Eligible
- Current Total Enrollment or Site Capacity, whichever is less

Once the numbers have been entered, the For-Profit Sponsor will certify that documentation is on file for the claim month to support the For-Profit eligibility method utilized for the site:

- This organization certifies that during this claim month at the site being claimed, 25% of the Current Enrollment or Site Capacity (whichever is less) are Title XIX Beneficiaries or Free/Reduced-Price Eligible Participants

If the site did not meet the For-Profit eligibility requirements for the claim month the Sponsor will certify the following statement:

- This organization realized that the Site does not meet the 25% Eligibility for For-Profit Sites, and that this claim will not be reimbursed and no meals will be reported.

If the sponsor wishes to change the method of for-profit eligibility from total Title XIX to total Free/Reduced-Price Eligible on the monthly claim, or vice versa, the sponsor would first need to revise the appropriate Site Info Sheet in CNPweb. The sponsor would need to make the change on the Site Info Sheet and submit to ODE CNP for approval. The claim may not be submitted until the revised Site Info Sheet is approved by ODE CNP.

Section C – Record Keeping Requirements

For-Profit Sponsors must comply with all state and Federal regulations and policies governing CACFP Sponsors as described in this manual. In addition, all For-Profit Sponsors must maintain records documenting that they meet the 25% eligibility requirements for each site every month CACFP reimbursement is claimed for Sponsored sites. For-Profit Sponsors receiving Federal funds may be required by ODE CNP to have periodic audits.

Following is a list of records For-Profit Sponsors must maintain in addition to the records required of all CACFP Sponsors, as described throughout this manual:

Title XIX 25% Eligibility Documentation:

- Title XIX eligibility documentation for each eligible participant
- CACFP Adult Enrollment Roster for the claim month
- Site licensed capacity
- Calculations and documents demonstrating how the 25% Title XIX eligibility was met for each site claimed for the claim month

Free/Reduced-Price 25% Eligibility Documentation:

- Current CIS forms or alternate eligibility documentation for all participants counted as Free-and Reduced-Price-Eligible during the claim month
- CACFP Child or Adult Enrollment Roster for the claim month
- OCC licensed capacity or site licensed capacity for Adult Day Care sites
- Calculations and documents demonstrating how the 25% Free and Reduced-Price eligibility was met for each site claimed for each claim month

Section D – Change in Ownership

Sponsors *must* notify ODE CNP of ownership changes prior to the change taking place in order to avoid a potential lapse in claiming and/or unallowable reimbursement. In general, the agreement will be terminated and the “new sponsor” will need to apply for CACFP participation.

Contact your assigned Child Nutrition Specialist as soon as possible once it has been determined that a For-Profit care center is to be sold.

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CHAPTER 19 OUTSIDE SCHOOL HOURS CARE CENTERS (OSHCC)

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Section A – Program Eligibility

Eligible Sponsors

Public or private nonprofit centers that are licensed or approved to provide organized nonresidential child care services to children ages 12 and under during hours outside of school may participate in the CACFP as an OSHCC.

Eligible Sites

Eligible sites must be organized for the purpose of providing services to children and must be distinct from extracurricular programs organized primarily for scholastic, cultural, or athletic purposes. School activities organized for purposes other than child care are not eligible to participate in the CACFP. Weekend-only centers operated by schools are not eligible as OSHCC. In addition, OSHCCs are eligible to serve lunches to enrolled children during periods of school vacation, including weekends and holidays and to children attending schools which do not offer a lunch program, but they must be enrolled in the OSHCC.

Licensing and Health and Safety Requirements

Sites must have a current Oregon Office of Childcare (OCC) license or be OCC recorded, unless exempt. Many afterschool programs operating in Oregon are exempt from OCC licensing however are required to be recorded. Contact [OCC](#) for further information on licensing and recording requirements.

Sites that are exempt from state licensing or recording must either have:

- *Other Federal, State or local approval* (e.g., school district-operated site or 21st Century Learning Center); or,
- *Alternate Approval*: All sites must meet State and/or local health and safety standards. (see [Chapter 2 Application & Renewal](#))

A school's participation in the NSLP or School Breakfast Program is sufficient proof of meeting required health and safety standards for CACFP purposes.

Eligible Participants

Children and youth 12 and under attending school and enrolled for care. Sponsors of OSHCCs will use the Sponsor's own enrollment documents to determine participants to be enrolled for care.

One Month Enrollment Roster

OSHCCs must develop a One Month Enrollment Roster (OMER). See [Chapter 4 The One Month Enrollment Roster](#) for more information on the OMER.

Reimbursable Meals

OSHCCs may be approved to claim one or more of the following meal types: breakfast, snack, or supper. A maximum of two meals and one snack or two snacks and one meal may be claimed daily for each child. In addition, such centers may be approved to serve lunch to enrolled school-age children during periods of school vacation, including weekends and holidays, and to enrolled children attending schools which do not offer the NSLP. Such centers, however, cannot be approved to operate the CACFP on weekends only.

Meals and snacks must meet CACFP meal pattern requirements and must be provided to eligible participants free of charge.

The CACFP meal patterns for 6-12 and 13-18 year olds are used to determine minimum portion sizes for all meals and snacks for children in these age ranges ages 13-18 years. See [Chapter 8 Meal Pattern Requirements](#) for more information.

Section B – Record Keeping Requirements

OSHCC in CACFP must maintain all general record keeping requirements stipulated in this manual including the following (see [Chapter 1 Introduction](#) for more information):

- Enrollment document for each participant that shows the participant is enrolled in the center

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CHAPTER 20 AUDITS, ADMINISTRATIVE REVIEWS & SERIOUS DEFICIENCIES

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Section A – Audits

Sponsors that expend \$750,000.00 or more in Federal funds in their fiscal year for any year are required to submit a single audit to the Federal Audit clearinghouse within 9 months of the close of their fiscal year. Each year on the CNPweb *Sponsor Information Sheet* Sponsors are required to report and certify if they have spent more than \$750,000.00 in Federal funds during their previous fiscal year. ODE CNP will send a letter to those Sponsors answering “yes” in line 140 of the CNPweb *Sponsor Information Sheet* requiring the organization to have an audit completed no later than nine months after the close of the organization’s fiscal year.

Sponsors who are notified by ODE CNP of their responsibility to have an audit must have the audit posted on the Federal Audit Clearinghouse (FAC) website by their auditor within nine months after the end of the organization’s fiscal year. Failure to complete the audit or to post the audit on the clearinghouse website by the deadline stipulated will result in the organization being categorized as “seriously deficient” and may lead to termination from the CACFP.

Sponsors are required to send an email to ODE notifying them of the date the single audit was posted on the FAC and if the audit contains any CACFP and/ or Summer Food Service Program (SFSP) reportable conditions such as material weakness, significant deficiency, or material non-compliance findings.

If the audit contains any CACFP and/or SFSP reportable conditions (material weakness, significant deficiency, or material non-compliance findings) your auditor must submit a copy of the single audit including the management letter and corrective action plan to ODE on or before the audit due date.

ODE CNP may require For-Profit Sponsors to submit an audit to ODE CNP or to be audited by ODE CNP.

The objective of an audit is to evaluate the integrity of an organization’s financial data. An auditor will assess the program’s financial operations. Specifically, an audit will determine if a Sponsor’s:

- Financial statement fairly represents its financial position;
- Financial operations are in accordance with generally accepted accounting principles; and
- Internal control systems provide reasonable assurance that it is managing Federal funds in compliance with laws and regulations.

Please review [The Uniform Grant Guidance 2 CFR Part 200](#), Subpart F-Audit Requirements.

Section B – Administrative Reviews

ODE CNP conducts Administrative Reviews of all Sponsors at least once every 3 years.

The purpose of the Administrative Review is to measure the Sponsor’s program to State and Federal standards; assess agency viability, accountability and capability; and to follow-up on any previous Administrative Review findings to ensure the Sponsor fully and permanently implemented the required corrective actions. The Administrative Review is not intended to discover all possible program deficiencies and any omission from the Administrative Review report does not mean that those deficient practices are acceptable.

ODE CNP reviews Sponsor level and site-level compliance. Sponsor level reviews may be announced or unannounced. All site level reviews are conducted on an unannounced basis. If the Sponsor-level administrative review is announced, ODE CNP will send the Sponsor a review confirmation letter with a list of documents that must be available at the time of the review.

There are six parts to the administrative review:

- Entrance interview
- Records review and site visit(s)
- Meal observation(s)
- Exit conference
- Corrective action (if needed)
- Financial assessment (if needed)

ODE CNP recommends that Sponsors actively evaluate their management of the CACFP on an on-going basis. Ideas for self-monitoring include:

- Unannounced site monitoring visits including meal observations, even if a single-site Sponsor
- Periodic comparison of food receipts and menus
- Periodic milk studies comparing milk purchased with number of meals claimed

Entrance Interview

The purpose of the entrance interview is for ODE CNP and the Sponsor staff to discuss the review process, gather information on the Sponsor's internal policies and procedures, and discuss the review schedule.

Records Review

Depending on the size and complexity of the program, the records review may take one or more days. The records review will include:

1. **Validation of the One Month Enrollment Roster (OMER)** (Not applicable to reviews of Afterschool At-Risk Meals and Snacks programs, Homeless programs and Head Start Programs that do not claim meals for siblings or Community Slots).
 - ODE CNP reviewers will recreate the most recent OMER that was submitted.
 - Eligibility documentation will be examined for completeness and accuracy.
 - Enrollment records, the CACFP Child Enrollment Roster and the OMER

reported on the October reimbursement claim will be verified.

2. Test month claim validation

- ODE CNP will announce the test month in the review confirmation letter or during the entrance interview (if the review is unannounced)
- The reviewer(s) will inspect meal counts and attendance records for a test month and complete a five-day reconciliation, at a minimum.
- Daily attendance must be complete and accurate, and must support meal counts.

3. Menu records review

ODE CNP reviewers will:

- Verify that meals served in the test month met CACFP meal pattern requirements by reviewing all required menu records and documentation including menus, recipes, menu production records, CN Labels, Manufacturer's Product Analysis Sheets (MPAS), and standard of identity labels
- Medical Statements for Food Substitution forms
- Parent/Guardian Written Request for Non-Dairy Beverage Substitution form
- Review itemized goods and services receipts to verify that food purchases substantiate documented menus

4. Non-profit food service review

ODE CNP reviewers verify all foodservice expenditures to ensure the Sponsor uses CACFP reimbursement solely for allowable costs for the food service. These records include but are not limited to (see [Chapter 7 Non-Profit Food Service](#) and [Chapter 14 Procurement](#)):

- Itemized receipts for goods and services
- Itemized receipts or other records for food donations and any service fees associated with donated foods (e.g., foods and non-food items from the Oregon Food Bank or food pantries)
- Documentation of labor and other costs
- Site monitoring mileage
- Comparison of the expenditures to the ODE CNP-approved budget—multi-site sponsors, only

5. Civil Rights compliance

- ODE CNP reviewers will check to see if the “And Justice For All” posters are displayed where parents, adult participants and the public can see and read them easily, and that the non-discrimination complaint procedures are published on required materials.
- ODE CNP reviewers will check to see if the Sponsor’s staff is trained on receiving Civil Rights complaints and that all Civil Rights complaint procedures are in place as required.
- ODE CNP reviewers will verify that the Annual Racial-Ethnic Reporting Requirements have been met.

6. Staff training

- ODE CNP reviewers will review documentation of annual Sponsor internal training and new staff training on CACFP procedures.
- ODE CNP reviewers will observe the Sponsor’s CACFP staff to assess their understanding of their CACFP duties and the effectiveness of the Sponsor’s training.

7. Approval

- Oregon Office of Childcare licensed or registered sites: ODE CNP reviewers will look at each site’s current OCC licensure.
- “Other Federal, State or Local approval” sites: ODE CNP reviewers will verify sites by program type.
- “Alternate Approval” sites: ODE CNP reviewers will review the Sponsor’s current Sanitation and Fire/Safety inspection reports to make sure the sites were in compliance with local fire and sanitation requirements.

8. Site monitoring

For multi-site Sponsors, ODE CNP reviewers will evaluate site monitoring review reports for completion, thoroughness and frequency. ODE CNP reviewers will verify:

- The required number of site monitoring reviews were performed in the previous 12 months of Program operation which may cover more than 12 calendar months for some programs (e.g., Head Start, Afterschool At-Risk Meals & Snacks)
- The site monitoring reviews were documented and that review reports are thoroughly completed, signed and dated
- That at least two of the required three site monitoring reviews at each Sponsored site were unannounced
- Corrective actions and follow-up procedures administered by the Sponsor to a site were thoroughly documented and that corrective actions were effective

9. For-Profit Sponsor Eligibility (if applicable)

The ODE CNP reviewers will evaluate the monthly For- Profit eligibility rosters for each claim month. In addition, they will review all required documentation to validate the eligibility rosters. See [Chapter 18 For- Profit Programs](#).

10. Program Administration

The ODE CNP reviewers will evaluate the following areas:

- The Building for the Future Flyer is displayed in area visible to participants and potential participants
- Sponsor made all records and accounts available to the reviewer upon request
- Sponsor maintains all correspondence and guidance issued by ODE CNP
- Sponsor maintains all required CACFP records for three years plus the current operating year (7CFR 220.10(d))
- Sponsor demonstrates adequate administrative oversight

Meal Observation

Unannounced meal observations may occur several weeks or months prior to, during or after, the administrative review. Reviewers may observe meals at one, several, or all sites.

During the meal observation, ODE CNP reviewers will:

- Evaluate compliance with meal pattern and portion size requirements
- Evaluate meal service style
- Check attendance and meal count procedures
- Check safety and sanitation procedures
- Evaluate compliance with Civil Rights requirements
- Check *Medical Statements for Food Substitutions forms* on file
- Evaluate effectiveness of staff training and site monitoring
- Review OCC license for compliance, if licensed

Exit Conference

At the completion of the administrative review, the ODE CNP reviewer will conduct an exit conference with Sponsor staff responsible for CACFP operations. Ideally, the exit conference will be conducted in person however it may be conducted via telephone, if needed.

The ODE CNP reviewer will report on program strengths, findings, required corrective actions, technical assistance provided and recommendations. At the exit conference the ODE CNP reviewer may issue a *Preliminary Finding Report* or a *Final Administrative Review Report*.

Due to time constraints and program complexity, on occasion the ODE CNP reviewer will not issue either type of finding report at the exit conference. If the *Preliminary Finding Report* is left, an official *Final Administrative Review Report* that describes final findings and required corrective actions will be sent at a later date. In this case, the *Final Administrative Review Report* may not be the same as the *Preliminary Finding Report*.

Section C – Findings and Corrective Actions

An administrative review, audit, or other review may discover findings. Findings are areas of non-compliance with Federal regulations or State Agency (ODE CNP) policies. When findings are identified as part of an audit or administrative review, the Sponsor must fully and permanently correct the findings within required timeframes.

Administrative Review Report

Findings and required corrective actions will be described in detail in the *Administrative Review Report* that will be issued to the Sponsor official who is on file with ODE CNP as the Sponsor's Authorized Representative or Food Program Coordinator as listed in CNPweb or their designee. A copy of the report will also be sent to the board chair of Non-Profit organizations.

Corrective Action

Corrective actions are those actions ODE CNP requires the Sponsor to take to correct the non-compliance findings. Corrective action must be submitted and implemented by the due date listed in the *Administrative Review Report*.

The Sponsor may be required to take the following corrective actions:

- Develop and implement systems or procedures to demonstrate compliance with Federal regulations or state policy
- Submit other required documents
- Other corrective action as deemed necessary by the review findings

Required corrective actions will always include submitting to ODE CNP a written plan that clearly describes how the Sponsor will correct all noncompliance findings. The written plan must describe ways the Sponsor will permanently and fully correct the areas of non-compliance. Corrective actions must also be implemented effectively.

ODE CNP may require Sponsors to submit supporting evidence with the corrective action plan, such as copies of C/S forms, Enrollment Rosters, staff training documentation, site monitoring reports, menus, CN Labels or Manufacturers' Product Analysis Sheets (MPAS) or recipes, attendance records, meal count forms, or itemized food receipts.

Responding to Corrective Action

The Sponsor must submit a written response to findings and required corrective actions by the due date listed in the *Administrative Review Report* (typically within 30 days of the receipt of *Administrative Review Report*). Occasionally, ODE CNP may determine that a shorter or longer response due date is required. When a thorough and complete response is submitted and accepted, ODE CNP will issue written notification that the administrative review is closed with a notice of any financial assessment to the Sponsor as a result of the review findings. Failure to submit a timely response will result in the Sponsor being categorized as “Seriously Deficient” in the operation of CACFP.

Financial Assessments

If findings reveal the Sponsor claimed reimbursement for meals without adequate documentation to demonstrate CACFP compliance, ODE CNP will require the Sponsor to pay back funds to ODE CNP. This is called a “financial assessment”.

If the Sponsor continues CACFP participation and owes \$600 or more, ODE CNP will recuperate overpayments through the reimbursement claim process. If the Sponsor does not continue participation in the CACFP, ODE CNP will bill the Sponsor for funds owed. If owed funds are not paid, ODE CNP will collect funds through the Department of Revenue or the Department of Justice collection.

Costly errors that may result in a financial assessment could include:

- OMER errors
- For-Profit Monthly Roster is not maintained or otherwise does not support that the site meets the 25% Eligibility for For-Profit Sites
- Claiming meals for children who do not have current CACFP Child Enrollment forms on file
- Attendance records are incomplete or otherwise do not support meal counts
- Meal count records were incomplete or missing
- More than two meals and one snack or two snacks and one meal were claimed per participant per day
- Observed meals did not meet CACFP meal pattern requirements for components, portion size, or meal service style
- Meals with substitutions for required components were claimed without completed *Medical Statement for Food Substitutions forms* on file
- Menus did not document all required meal pattern food components
- Menu documentation does not demonstrate compliance with meal pattern requirements
- Food receipts did not support menus
- Required, supporting records were not maintained and available for review
- Inaccurate records

Sponsors may appeal financial assessments following the appeal procedure issued with the ODE CNP written notification. See [Appeal Procedures located in the Packet Tab of CNPweb](#).

Section D – Serious Deficiencies and Termination

If ODE CNP determines that the Sponsor is out of compliance in an area cited in the Federal regulations as a *Serious Deficiency* and/or the Sponsor is significantly out of compliance in a specific area or areas, ODE CNP will notify the program in writing that it is *Seriously Deficient* in the operation of the CACFP. Federal regulations governing *Serious Deficiency* in the operation of the CACFP use some specific terms not found in other places in this manual. The following terms apply to Serious Deficiencies and the *Seriously Deficient* process:

- *Institutions*: The entity (organization) that signs the agreement with the State Agency to operate the CACFP ([State Agency-Sponsor Agreement](#) -Located on the CNPweb packet page)
- *Responsible Principals*: The Sponsor's Authorized Representative, Food Program Coordinator, Financial Office Representative, the institution's Executive Director, Board Chair, For-Profit business owners, managers, officers, board members and any other Principals who were responsible for program operations or should have known about a *serious deficiency*.
- *Responsible Individuals*: Non-principal individuals (including volunteers and contractors) associated with the institution's operation of the CACFP who bear some responsibility for a *serious deficiency*

Following is the regulatory list of grounds for a *Seriously Deficient* determination. Sponsors, their Responsible Principals, and Responsible Individuals will be classified *Seriously Deficient* if any of the following occurs. Note that the regulation language specifies that the list is NOT exhaustive. Refer to [CFR 226.6\(c\)\(3\)\(ii\)](#) for the complete language. The following list briefly describes *Serious Deficiencies* for Participating Institutions:

- (A) Submission of false information on the institution's application, including but not limited to a determination that the institution has concealed a conviction for any activity that occurred during the past seven years and that indicates a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency;
- (B) Permitting an individual who is on the National Disqualified List to serve in a principal capacity with the institution or, if a sponsoring organization, permitting such an individual to serve as a principal in a sponsored center or as a day care home;

- (C) Failure to operate the Program in conformance with the performance standards set forth in paragraphs (b)(1)(xviii) and (b)(2)(vii) of CFR 226.6(c)(3)(ii);
- (D) Failure to comply with the bid procedures and contract requirements of applicable Federal procurement regulations;
- (E) Failure to return to the State agency any advance payments that exceeded the amount earned for serving eligible meals, or failure to return disallowed start-up or expansion payments;
- (F) Failure to maintain adequate records;
- (G) Failure to adjust meal orders to conform to variations in the number of participants;
- (H) Claiming reimbursement for meals not served to participants;
- (I) Claiming reimbursement for a significant number of meals that do not meet Program requirements;
- (J) Use of a food service management company that is in violation of health codes;
- (K) Failure of a sponsoring organization to disburse payments to its facilities in accordance with the regulations at § 226.16(g) and (h) or in accordance with its management plan;
- (L) Claiming reimbursement for meals served by a for-profit child care center or a for-profit outside-school hours care center during a calendar month in which less than 25 percent of the children in care (enrolled or licensed capacity, whichever is less) were eligible for free or reduced-price meals or were title XX beneficiaries;
- (M) Claiming reimbursement for meals served by a for-profit adult day care center during a calendar month in which less than 25 percent of its enrolled adult participants were title XIX or title XX beneficiaries;

- (N) Failure by a sponsoring organization of day care homes to properly classify day care homes as tier I or tier II in accordance with § 226.15(f);
- (O) Failure by a sponsoring organization to properly train or monitor sponsored facilities in accordance with § 226.16(d);
- (P) Use of day care home funds by a sponsoring organization to pay for the sponsoring organization's administrative expenses;
- (Q) Failure to perform any of the other financial and administrative responsibilities required by CFR 226.6(c)(3)(ii);
- (R) Failure to properly implement and administer the day care home termination and administrative review provisions set forth at paragraph (l) of CFR 226.6(c)(3)(ii) and § 226.16(l);
- (S) The fact the institution or any of the institution's principals have been declared ineligible for any other publicly funded program by reason of 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;
- (T) Conviction of the institution or any of its principals for any activity that occurred during the past seven years and that indicates a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency; or,
- (U) Any other action affecting the institution's ability to administer the Program in accordance with Program requirements.

Seriously Deficient Sponsors

ODE CNP will notify Sponsors in writing if they are Seriously Deficient in the operation of CACFP. A notice will be issued to the organization, the *Responsible Principals* and *Responsible Individuals* associated with the *Serious Deficiency*. *Seriously Deficient Sponsors* and their *Responsible Principals* and *Responsible Individuals* will be issued a notice of *Serious Deficiency*. *Seriously Deficient Sponsors* will be provided with the opportunity to take corrective action. At the same time this notice of *Serious Deficiency* is issued, ODE CNP will add the Sponsor to the *Oregon Seriously Deficient List* in addition to the basis for the *Serious Deficiency* determination.

The *Serious Deficiency* notice will specify:

- The specific *serious deficiency(ies)*;
- Actions to be taken to correct the *serious deficiency(ies)*;
- Time allotted to correct the *serious deficiency(ies)*;
- The *Serious Deficiency* determination is not subject to administrative review (appeal);
- That failure to fully and permanently correct the *serious deficiency(ies)* within the allotted time will result in ODE CNP's proposed termination of the institution's agreement and the proposed disqualification of the institution and the Responsible Principals and Responsible Individuals; and
- That the institution's voluntary termination of its agreement with ODE CNP after having been notified that it is *Seriously Deficient* will still result in the institution's formal termination by ODE CNP and placement of the institution and its Responsible Principals and Responsible Individuals on the National Disqualified List.

Within approximately two weeks of the issuance of the notice of *Serious Deficiency* ODE CNP will provide technical assistance to assist the Sponsor in determining how to fully and permanently correct the *Serious Deficiencies*. Technical assistance will be provided in-person and/or via phone, mail, fax and E-mail.

Seriously Deficient Sponsors must develop and implement a written corrective action plan and submit it to ODE CNP. Additionally, the Sponsor must also submit any supporting documents and other corrective action as deemed necessary by the review findings as required by ODE CNP. The corrective action plan, supporting documents and any other required corrective actions must be submitted within the required time frame as outlined in the notice of *Serious Deficiency*.

Until corrective actions and any other requirements established by ODE CNP during the *seriously deficient* process are fully and permanently implemented the Sponsor may not:

- Add sites to its CACFP agreement;
- Sponsor other Child Nutrition Programs such as the Summer Food Service Program (SFSP); or
- Be granted approval of its yearly renewal application.

Serious Deficiency Temporary Deferral

When the written corrective action plan has been evaluated and approved, ODE CNP staff will conduct an unannounced follow-up review to determine if corrective actions have been permanently and fully implemented. If the follow-up review demonstrates compliance ODE CNP will temporarily defer the serious deficiency determination. ODE CNP will notify the Institution, the named Responsible Principals and Responsible Individuals, in writing, that ODE CNP has *temporarily deferred* the *serious deficiency* determination. The Sponsor may continue its participation in the CACFP.

While Temporary Deferral allows the Institution, the Responsible Principals and Responsible Individuals to continue to operate the CACFP within their program, a determination of Serious Deficiency is not rescinded. If a Sponsor is determined to be seriously deficient after the Temporary Deferral has been approved, ODE CNP may proceed to propose [termination and disqualification](#). The Institution, its Responsible Principals and Responsible Individuals will not have any further opportunity for corrective action.

Proposed Suspension, and Suspension

ODE CNP may propose to suspend the State Agency Agreement-- Sponsor- rendering the Sponsor temporarily ineligible to participate in the CACFP, including program payments.

Suspension would be proposed and applied by ODE CNP pursuant to section 226.6(c)(5)(ii) of the CACFP regulations ([7 CFR 226.6\(c\)\(5\)\(ii\)](#)) *Notice of suspension, serious deficiency, proposed termination, and proposed disqualification*. This section outlines the two *Serious Deficiencies* in which ODE CNP would be required to suspend a Sponsor's participation in the CACFP:

- **Imminent threat to health or safety**— If State or local health or licensing officials have cited a Sponsor for a serious health or safety violation, the State must immediately suspend the Sponsor's CACFP participation. Or, if ODE CNP determines that there is an imminent threat to the health or safety of participants at a Sponsor's site, or that the Sponsor has engaged in activities that threaten the public health or safety, ODE CNP must immediately notify the appropriate State or Local licensing and health authorities and take action that is consistent with the recommendations and requirements of those authorities. See [Chapter 1, Section C Health and Safety Requirements](#)
- **False or fraudulent claims**—If ODE CNP determines that an institution has knowingly submitted a false or fraudulent claim; ODE CNP may initiate action to suspend the Sponsor's agreement and must initiate action to terminate the Sponsor's agreement and initiate action to disqualify the Sponsor and the Responsible Principals and Responsible Individuals. ODE CNP is required to disallow the false or fraudulent claim(s).

When suspension is initiated, it is part of the *Serious Deficiency* process and is only temporary. Suspension does not mean termination. However, the State Agency is mandated to initiate proposed termination of the Sponsor's agreement, and initiate action to disqualify the Sponsor and Responsible Principals and Responsible Individuals prior to any formal action to revoke the Sponsor's licensure or approval. There is no corrective action available or opportunity for appeal before a suspension is issued.

ODE CNP is prohibited from paying any claims for reimbursement from a suspended Sponsor. However, if the suspended Sponsor prevails in the appeal of the proposed termination, ODE CNP must pay any claims for reimbursement for eligible meals served during the suspension period.

Review of Proposed Suspension

Sponsors may request a review of the proposed suspension of their Program participation. If a suspension review is requested, the suspension will not take effect until the suspension review official makes a decision on the request.

A suspension review must be requested in writing no later than 10 days after receiving the ODE CNP letter notifying the Sponsor of the proposed suspension. If the Sponsor fails to request a suspension review by this date, the Sponsor's request will be denied and the suspension will take effect.

Proposed Termination and Disqualification

ODE CNP will move to immediately propose to terminate the State Agency-Sponsor Agreement to participate in the CACFP and propose disqualification of the Institution, its Responsible Principals and Responsible Individuals without any further opportunity for corrective action in the following situations:

- If the responses to corrective actions from a *Seriously Deficient* Sponsor are not approved, submitted, completed and/or implemented by the required due date; or,
- If at a future time ODE CNP identifies the Sponsor has not fully and permanently corrected the *serious deficiencies*

ODE CNP will notify the Sponsor of its intent to terminate the Sponsor-State Agency Agreement. The *Notice of Intent to Terminate and Disqualify* will specify:

1. ODE CNP is proposing to terminate the institution's agreement and to disqualify the Institution and Responsible Principals and Responsible Individuals;
2. The basis for the actions;
3. That, if the Institution voluntarily terminates its agreement after receiving the notice of proposed termination, the institution and Responsible Principals and Responsible Individuals will be disqualified;
4. The procedure for appeal of the proposed termination, and,
5. Unless participation has been suspended if the Sponsor appeals the Intent to Terminate, the sponsor may continue to participate and receive Program reimbursement for eligible meals served until the appeal is completed.

Reimbursement

ODE CNP will continue to pay any valid, unpaid claims for reimbursement for eligible meals served until the program has not appealed the termination within the appeal timeframe, or if appealed, until the appeal outcome has been issued. If ODE CNP prevails in an appeal, ODE CNP will not continue making Program payments. If the Sponsor prevails in an appeal, the Sponsor may continue filing reimbursement claims. ODE CNP may request claims documentation prior to payment.

If the Sponsor does not submit an appeal, the agreement will be terminated on the date given by ODE CNP in the *Notice of Intent to Terminate*.

Consequences of Termination and Disqualification

Termination and disqualification from participation in the CACFP will result in the Institution, its Responsible Principals (board members, directors, officers, and key employees who should have known about the problems) and Responsible Individuals being prohibited from participation in the CACFP or the Summer Food Service Program in other Sponsoring organizations.

The Institution, the Responsible Principals and the Responsible Individuals are placed on the National Disqualified List, which is maintained by USDA, disqualifying all those listed from participation in the program anywhere in the United States for seven years or until removed from the list by USDA.

If an outstanding debt is owed to ODE CNP, the debt must be repaid before a disqualified Institution, Responsible Principal or Responsible Individual can be removed National Disqualified list.

Section E – Appeals

Whenever ODE CNP takes an action that negatively affects payment or participation in the CACFP, the Sponsor has a right to appeal the decision. ODE CNP will send the official appeal procedure to Sponsors whenever an appealable determination is made.

Should Sponsors elect to exercise the right to appeal, they must follow the appeal procedure exactly and submit a written request within 15 calendar days from the date of the notice of the appealable action. The following determinations are appealable:

- Denial of an application for participation
- Denial of an application for a specific site
- Denial of all or part of a reimbursement claim
- Demand to submit a revised reimbursement claim
- Demand to recover an overpayment
- Proposed termination of CACFP participation
- Termination of one or more sites from CACFP participation
- Denial to forward to FNS an exception request for payment of a late claim

- Placement on the National Disqualified List

Not all actions are appealable. The following actions are not appealable:

- A determination of *Serious Deficiency*
- A requirement to correct a *Serious Deficiency*
- Imposing a cap on future growth of the Sponsor
- Being named individually in findings
- A finding that does not negatively affect payment

See [Appeal Procedures in the packet tab of CNPweb](#) for regulatory requirements governing appeals.

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CHAPTER 21 ADULT DAY CARE

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Section A – Overview

The goal of the CACFP with respect to adults is to enhance the health and well-being of all Adult Day Care Program participants by ensuring access to a wide variety of foods as part of a well-balanced nutritious diet.

Sponsors of Adult Day Care Programs must comply with all CACFP requirements except those which are superseded by the Adult Day Care Program-specific requirements found in this chapter.

The Adult Day Care Program is a subsection of the Child and Adult Care Food Program (CACFP) that is available to operators of non-residential day care facilities serving persons who are 60 years of age or older and functionally impaired adults. It is not necessary that the majority of the clients receiving care in the center be functionally impaired. Examples of types of Adult Day Service facilities that may participate in the CACFP are:

- Adult day service centers
- Support day care centers
- Adult day health centers
- Licensed Alzheimer's day care centers

CACFP eligibility requirements state that the Adult Day Care CACFP Sponsors must operate primarily to provide day care to non-residential elderly and disabled adults in order to avoid premature institutionalization. Simply providing services to frail and/or elderly adults (such as sheltered workshops, vocational or substance abuse rehabilitation centers, or social centers) does not meet CACFP requirements.

Section B – Eligibility Criteria

Sponsor Eligibility

The types of organizations serving non-residential functionally impaired or elderly adults that are eligible to participate in the CACFP are:

- Government organizations (public entities)
- Tribal authorities
- Private Non-Profit organizations
- Some For-Profit organizations that meet the For Profit criteria (See [Chapter 18 For-Profit Sponsors](#) for more information on For-Profit Sponsors)
- Residential facilities that serve meals to enrolled adults who live in the community and attend the facility for day care.

Note: Individuals who reside in the facility *are not* eligible for participation

Eligibility criteria for Adult Day Care Program Sponsors to participate in the CACFP:

- Must provide non-residential group day care services to functionally impaired adults, or persons 60 years of age or older; or
- Must operate a community-based group program that is designed to meet the needs of the adult participants through individualized plans of care.

AND

- The day care program operated by the organization must be a structured, comprehensive program that provides a variety of health, social, and related support services to enrolled participants through an *individual plan of care*.
- Day care sites must meet health, sanitation and fire safety standards.

Participant Eligibility

Eligibility criteria for adult participants:

- Persons 60 years of age or older
- *Functionally impaired*, disabled adults
- Must reside in their own home or in the home of a family member, guardian, or other caregiver alone or with a spouse, children or guardian, or reside in a group home that is not a residential care facility.
- All participants under 60 years of age must have an individualized plan of care maintained for them by the Sponsor.

A *functionally impaired adult* means a chronically impaired disabled person 18 years of age or older, including victims of Alzheimer's disease and related disorders with neurological and organic brain dysfunction, who is physically or mentally impaired to the extent that his/her capacity for independence and ability to carry out activities of daily living is markedly limited.

Activities of daily living include, but are not limited to, adaptive activities such as cleaning, shopping, cooking, taking public transportation, maintaining a residence, caring appropriately for one's grooming or hygiene, using telephones and directories, or using a post office.

Marked limitations refer to the severity of impairment, and not the number of limited activities, and occur when the degree of limitation is such as to seriously interfere with the ability to function independently.

A *group home* means residential communities which may or may not be subsidized by Federal, state or local funds but which are private residences housing an individual or a group of individuals who are primarily responsible for their own care and who maintain a presence in the community but who may receive on-site monitoring.

Meals served to the following adults are *not eligible for reimbursement*:

- "Drop-in" adults who eat meals at a center but are not enrolled to receive care at the center
- Meals served to center volunteers, regardless of age, who help with the meal service or other center activities unless they are actually enrolled at the center and meet CACFP eligibility requirements

- Participants who reside in a residential facility
- Individuals residing in an institution on a temporary basis for respite care, crisis intervention or other reasons

Licensing/Approval

Adult Day Care Centers must be licensed or approved by Federal, State, local authorities to provide adult day care. Tribal authorities are considered local authorities.

Non-Profit Food Service

Those centers receiving public funding are required to implement a financial management system which can show that other public funding is not being used to support CACFP meals.

Additionally, an Adult Day Care Center purchasing meals from other than clearly commercial vendors must make a determination that the meals they are receiving are not supported by other public funds. Such centers are encouraged to preserve other public funding for services they administer outside the meal service and not allow such funding to interfere with the integrity of their CACFP claims.

See [Chapter 7 Non-Profit Food Service](#) for additional financial accounting requirements.

Confidential Income Statements for Adult Participants

Adult Day Care Program Sponsors must determine participant eligibility categories of Free, Reduced-Price or Above-Scale similar to most other CACFP programs. Eligibility category determinations are made based on information provided by the participant on a [Confidential Income Statements \(CIS\)](#) except as noted below. Adult participants are categorically eligible to be counted in the Free category if the *CIS* documents that the participant:

- Is a member of a SNAP household;
- Receives Supplemental Security Income (SSI);
- Receives Medicaid/Oregon Health Plan; or
- Receives food assistance through the Food Distribution Program on Indian Reservations (FDPIR).

For applicants submitting income information on a *Confidential Income Statement* to determine eligibility, only the income of the participant, the participant's spouse and dependent children who reside with the participant must be included. A functionally impaired adult participant living with her/his parents or guardian is considered a household of one, and only the participant's income is used to determine eligibility.

Adult participants who are categorically Free-eligible must provide a SNAP or FDPIR case number or a SSI or Medicaid/Oregon Health Plan assistance identification number on the CIS. When a SNAP or FDPIR case number or SSI or Medicaid/Oregon Health Plan assistance identification number is provided on the CIS, the adult member signing the CIS is not required to provide a the last four digits of their social security number.

Exception to Using a CIS to Establish Free-Eligibility

In lieu of a current, signed CIS form, the Sponsor may establish the adult participant's categorical Free-eligibility based on information documented on the participant's center enrollment form when the following condition is met:

A legitimate benefit number for one of the benefit programs listed above must be documented on the enrollment form and the enrollment form must be dated and signed by the participant or the participant's guardian.

Q & A For Determining an Adult Participant's Eligibility Category:

1. If a participant receives Social Security disability benefits, does this qualify her/him categorically Free-eligible for purposes of developing the One Month Enrollment Roster (OMER)?

No. *Social Security disability benefits are not based on financial need like SSI benefits.*

2. If a participant is receiving both Supplemental Security Income (SSI) and Social Security disability benefits, is s/he categorically Free-eligible for purposes of developing the OMER?

Yes. *Participants receiving SSI are categorically Free-eligible regardless of any other benefits they are receiving.*

3. If a potential participant is functionally impaired and cannot sign the *Confidential Income Statement (CIS)* for him/herself and a guardian is not available to sign the CIS, may a case manager at the Center sign the CIS form for the adult participant?

Yes, *if the participant is categorically Free-eligible and the participant's file contains documentation of her/his categorical eligibility. This provision is to be used on a case-by-case basis. Sponsors may not use this method of approval for all participants. If the participant is not categorically Free-eligible, the CIS must be signed by the participant, the participant's guardian, or an adult household member.*

4. Who must provide the last four digits of their Social Security Number (SSN) on an income-based CIS?

Applicants are required to submit the last four digits of the SSN of the primary wage earner responsible for the care of the participant. This could be the participant, or the participant's parent or guardian living in the participant's household.

See [Chapter 3 Eligibility Determination](#) for more information on CIS. Use Adult Day Care Program versions of the [Confidential Income Statement form](#) and [Letter to Households](#).

One Month Enrollment Roster

Adult Day Care Programs must develop a One Month Enrollment Roster (OMER). See [Chapter 4 The One Month Enrollment Roster](#) for more information on the OMER.

Adult Day Care Programs may use center enrollment records documenting categorical Free-eligibility in lieu of *Confidential Income Statements* when developing the OMER under the following circumstances:

- The participant is categorically Free-eligible based on receipt of SNAP, Supplemental Security Income (SSI), Medicaid/Oregon Health Plan or Food Distribution on Indian Reservations (FDPIR) benefits; and
- The center enrollment document is dated and signed by the participant or guardian; and
- The participant's name as documented on the enrollment form must be listed on the OMER roster.

Note: The required [CACFP One Month Enrollment Roster form](#) is provided for Sponsors using center enrollment documentation to establish Free eligibility.

Section C – Record Keeping Requirements

Adult Day Care Programs in CACFP must maintain all general record keeping requirements stipulated in this manual including the following:

- Enrollment document for each adult participant that shows the participant is enrolled in the center;
- Records on the age of each enrolled participant;
- Records showing that each participant under the age of 60 meets the functional impairment eligibility requirements established under the definition of *functionally impaired adult* found in Section B of this chapter;
- Records which document that qualified Adult Day Care Program participants reside in their own homes (whether alone or with spouses, children, or guardians) or in group living arrangements; and
- Records of individual care plans for each enrolled functionally impaired participating adult.

Section D – Reimbursable Adult Meals

Reimbursement may be claimed for up to two meals and one snack, or two snacks and one meal for each eligible adult participant each day. Meals claimed for reimbursement must meet CACFP menu pattern and meal service requirements, and must be served to enrolled participants in an approved site. Sponsors must maintain records documenting reimbursable meals. See [Chapter 5 Enrollment, Attendance & Meal Count Records](#) and [Chapter 6 Reimbursement Claims](#) for more information on recording and claiming reimbursable meals.

Adult Meal Requirements

All adult meals must meet the following requirements:

- Meals must meet USDA meal pattern requirements for Adults (See the [Adult Meal Pattern Chart Below](#))
- Meals may be prepared on site or transported to the site from a central kitchen at another site in the organization.
- Meals may be purchased from a vendor when the vendor signs a [Vended Meal Agreement](#) (on the CNPweb packet page) with the Sponsor. See [Chapter 14 Procurement](#) for more information on vended meals.
- Meals must be served in a congregate setting.

The [Adult Meal Pattern Chart](#) on the following page lists the minimum required quantity (number of servings and serving size) of each meal pattern component that must be offered to all participants for each meal type served.

Food Components and Food Items <small>It is recommended that water be offered and made available to adult CACFP participants throughout the day. Water is not a part of a reimbursable meal and may not be served instead of fluid milk.</small>	Breakfast¹ <small>Offer all three components for a reimbursable meal.</small>	Lunch/Supper¹ <small>Offer all five components for a reimbursable meal.</small>	Snack² <small>Serve two of five components for a reimbursable meal.</small>
Fluid Milk^{3,4}	8 fl oz (1 cup)	8 fl oz (1 cup) Optional for Supper⁵	8 fl oz (1 cup)
Meat or Meat Alternate⁶			
Lean meat, poultry, or fish		2 oz	1 oz
Tofu		4.4 oz or ½ cup	2.2 oz or ¼ cup
Soy product or alternate protein products ⁷		2 oz	1 oz
Cheese		2 oz	1 oz
Large egg		1	½
Cooked dry beans/peas		½ cup	¼ cup
Peanut butter or soy nut butter or other nut or seed butters		4 Tbsp	2 Tbsp
Yogurt (including soy), plain or flavored, unsweetened or sweetened ^{4,8}		8 oz or 1 cup	4 oz or ½ cup
Peanuts, soy nuts, tree nuts or seeds ⁹		1 oz = 50%	1 oz
Vegetables, Fruits, or portions of both¹⁰	½ cup		
Vegetables^{10,11}		½ cup	½ cup
Fruits^{10,11}		½ cup	½ cup
Grains (oz eq)^{6,12,13}			
Whole grain-rich or enriched bread	2 slices	2 slices	1 slice
Whole grain-rich or enriched bread product (such as biscuit, roll, muffin)	2 servings	2 servings	1 serving
Whole grain-rich, enriched or fortified cooked breakfast cereal, cereal grain, and/or pasta	1 cup	1 cup	½ cup
Whole grain-rich, enriched or fortified ready-to-eat breakfast cereal (dry, cold) ^{14,15}	1 ½ cups	1 ½ cups	¾ cups

Meal Components

The Adult Meal Pattern Food Chart includes five components, or food groups, which make up the CACFP meal pattern requirements:

- Grains/Breads
- Meat/Meat Alternate
- Vegetables
- Fruits

- Milk

Meals must contain the following food components and food items:

Breakfast—three meal pattern components are required:

- Fluid Milk – one serving
- Grains/Breads – one serving
- Vegetable/Fruit or both – one serving

One (1) ounce of meat/meat alternate may be substituted for the entire grain/bread component up to three (3) times per week.

Lunch or Supper—five meal pattern components are required:

- Fluid Milk – one serving
- Grains/Breads – one serving
- Meat/Meat Alternate – one serving
- Vegetables - one serving
- Fruits – one serving

Lunch and supper must include one fruit (1) and one (1) vegetable **OR** two (2) vegetables. When two vegetables are served two different kinds of vegetables must be served.

Milk is optional for adults during the supper meal service only.

Snack—two of the five meal pattern components are required:

Snacks must contain at least two of the five meal components. Snacks with only two food items from the same component group are not reimbursable. For example, a snack made up of only turkey and cheese is not reimbursable. A snack made up of only a banana and apple juice is not reimbursable.

Only one of the two required components for snack may be a beverage.

Meal Pattern Flexibility During a Disaster—ODE CNP Approval Required

Child Nutrition Programs policies are designed to allow flexibility and support continuation of meal benefits to participants in disaster areas. There are existing flexibilities in meal service requirements and administrative procedures that make it easier for Sponsors to operate and respond to disaster situations.

Meal Component and Meal Service

Flexibility is allowed with regard to time of meal service and, if applicable, use of offer versus serve. These modifications may be made *only* with ODE CNP approval.

If emergency conditions exist that prevent Sponsors from obtaining fluid milk, ODE CNP may allow service of meals without milk or with an alternate form of milk, such as canned or dry milk [7 CFR 210.10(m)(2)(i); 7 CFR 225.16(f)(6); 7 CFR 226.20(e)].

If changes to other meal component requirements are needed, Sponsors must consult with ODE CNP.

Section E – Crediting Foods

Creditable foods are foods that may be counted toward meeting meal pattern requirements for a reimbursable meal.

Non-creditable foods (sometimes called “other foods”) are foods that do not meet any meal pattern component requirement. Non-creditable foods may be served in addition to required meal pattern components in reimbursable meals, unless the food is specifically prohibited in the CACFP. The [ODE CNP Non-Creditable Food List for the CACFP](#) is found on the CACFP [Meal Pattern and Menu Planning webpage](#).

The [USDA Web-based Interactive Food Buying Guide \(FBG\)](#) is the ultimate reference for crediting meal components in CACFP meals. The web-based guide is updated frequently and Sponsors should use the online guide as a reference.

Use the *FBG* to determine how much food to purchase or prepare for the number of portions planned. The *FBG* is divided into sections according to meal pattern components: Meat/Meat Alternate, Vegetables/Fruits, Grains/ Breads, and Milk. Each section provides information on how to determine the creditable amount or the number of servings of a given size from each purchase unit of the food. For example, the *FBG* specifies that one pound of raw ground beef with no more than 20% fat will provide 11.8 one-ounce portions of cooked, drained lean meat.

Note: Section 5 in the *FBG* titled, *Other Foods* contains yield information for foods that are not creditable in the CACFP. Foods in this section do not count toward reimbursable meals.

Crediting Grains/Breads

A creditable grain must be enriched or whole grain-rich. At least one serving of grains per day must be whole-grain rich. One-quarter (1/4 or .25) of a serving of a Grain/Bread food item is the minimum amount allowable to be credited toward the meal pattern component requirement.

The [Easy to Use Grains and Breads Chart](#) found on the CACFP [Meal Pattern and Menu Planning webpage](#) categorizes products into groups according to the amount of grain in each item and lists creditable serving sizes for each group.

Enriched Grains

Enriched grains are grains that have certain B vitamins and iron added back to them after processing. There are two ways to determine if a grain is enriched. The food must meet at least one of the following in order to be creditable as enriched:

1. The food is labeled as enriched.
2. An enriched grain is listed as the first ingredient on the food’s ingredient list, or second after water. The label will usually say “enriched flour” or “enriched wheat flour,” or there is a sub-listing of nutrients used to enrich the ingredient. For

example, in this ingredient list, the yellow corn flour has a sub-list of nutrients used to enrich it: “whole wheat flour, yellow corn flour (folic acid, riboflavin, niacin, and thiamine)”.

Breakfast cereals that are fortified are also creditable.

Cereal products that have been fortified are labeled as such and have an ingredient statement similar to the following (for EXAMPLE purposes only): “Ingredients: Whole wheat, sugar, oats, contains 2% or less of salt, baking soda, caramel color, annatto color, BHT for freshness. Vitamins and Minerals: Vitamin C (sodium ascorbate, ascorbic acid), niacin amide, vitamin B6 (pyridoxine hydrochloride), reduced iron, zinc oxide, folic acid, vitamin B2 (riboflavin), vitamin B1 (thiamin hydrochloride), vitamin A palmitate, vitamin D, vitamin B12.”

Whole Grain Meals or Flours

Whole grain meals or flours are made of the entire cereal grain seed or kernel. The kernel has three parts - the bran, the germ, and the endosperm. In refined grains, the bran and the germ are removed, leaving only the starchy endosperm. With whole grains, the bran and germ are left intact to provide fiber, B vitamins, and healthy fats. Some examples of whole grains include products with the word “whole” listed before a grain such as whole wheat or whole corn flour, cracked wheat, brown rice, oatmeal, wild rice, quinoa, and millet. Bran and germ are credited the same as enriched or whole-grain meal or flour.

Note: whole grains are not the same as multi-grains.

Corn Meal or Corn Flour

The FDA Standard of Identity for ‘corn meal’ and ‘corn flour’ was revised in 2006. The terms ‘corn meal’ and ‘corn flour’ on an ingredient label no longer qualify as whole grains. To be a creditable Grain/Bread the ingredient label must contain one of the following terms:

- ‘Whole corn’ (or other ‘whole’ corn designations, such as whole grain corn, whole ground corn, whole cornmeal, whole corn flour, etc.)
- ‘Enriched’ corn (or other ‘enriched’ corn designations such as enriched yellow cornmeal, enriched corn flour, enriched corn grits, etc.)

Non-Creditable Grains

Whole grains, enriched grains, bran, and germ are creditable grains in the CACFP. Other grain ingredients are considered non-creditable. There may be times when non-creditable grains appear in the ingredient list of a food. Some examples of non-creditable grain ingredients include: flours that are not enriched or whole grain, wheat starch, corn starch, modified food starch, and vegetable flours (e.g., potato and legume flours).

Non-creditable grains in insignificant amounts are acceptable. To the extent possible, Sponsors should choose foods with an insignificant amount of non-creditable grains.

Determining Creditable Grains

Grain products that will not be used to meet the whole grain-rich requirements may continue to be credited using previous methods of crediting. Grain products labeled as ‘whole grain’ or ‘enriched’, or grain products with the first grain ingredient listed as enriched or whole grain will

be creditable.

ODE CNP has developed a [Flowchart for Creditable and WGR Grains](#) found on the [CACFP Meal Pattern and Menu Planning webpage](#) to help sponsors identify creditable grains.

Rule of Three

When identifying whether a grain product is creditable, Sponsors may use the **rule of three** as one of the determining methods. The rule of three means looking at the first three grain ingredients to determine that they are either whole grain or enriched. To use the rule of three:

- ❑ Make sure the first grain ingredient (or second after water), is whole or enriched, and
- ❑ The next two grain ingredients (if any) are whole grains, enriched grains, bran, or germ.

If the product has the statement “contains 2% or less,” any ingredients listed after that statement are considered insignificant. They do not need to be considered in the **rule of three**. For example, an ingredient list may state “contains less than 2% of wheat flour and corn starch.” In this example, the wheat flour and corn starch can be disregarded.

Grains and non-grains may be mixed together on an ingredient list. For example, a bread ingredient list may say: “water, whole wheat flour, yeast, sugar, enriched white flour, wheat gluten, brown rice flour, salt.” In this example, the first ingredient after water is a whole grain. The second grain ingredient is an enriched grain, and the third grain ingredient is a whole grain. This bread passes the **rule of three** test. It also meets the whole grain-rich criteria because the first ingredient after water is a whole grain. Sponsors do not need to check any other grain ingredients further down on the ingredient list to verify if they are creditable.

There is no need to use the **rule of three** for ready-to-eat breakfast cereals that are fortified. If a ready-to-eat breakfast cereal has a whole grain as the first ingredient (or second after water), and it is fortified, it meets the whole grain-rich criteria.

Note: wheat gluten is not a grain. Gluten is protein

Whole Grain-rich Criteria

At least one serving of grains per day must be whole grain-rich. A whole grain-rich food contains 100% whole grains, or at least 50% whole grains with the remaining grains in the foods enriched. Bran and germ are credited the same as enriched or whole-grain meal or flour. This whole grain-rich requirement only applies to meals served to children and adults; it does not apply to infant meals.

There are four ways to determine if a grain product meets the whole grain-rich criteria. The following checklist can be used to decide if a grain is whole grain-rich. The food must meet at least one of the following:

1. The food is labeled as “whole wheat”.

Grain products that are specifically labeled as “whole wheat bread”, “entire wheat bread”, “whole wheat rolls”, “entire wheat rolls”, “whole wheat buns”, and “entire wheat buns” are 100 percent whole wheat and meet the whole grain-rich criteria.

These products generally will not have any refined grains listed in the ingredient

statement. If they do, it is considered to be an insignificant amount.

Please note that foods with the label “whole grain”, “made with whole grains”, “made with whole wheat”, or “contains whole grains” do not necessarily meet the whole grain-rich criteria.

2. A whole grain is listed as the first ingredient on the food’s ingredient list (or second after water), and the next two grain ingredients are creditable (whole or enriched grains, bran, or germ). This is called the **rule of three**. More information about the **rule of three** is located in the section titled **Rule of three**.

Some examples of whole grain ingredients are whole wheat, brown rice or wild rice, oatmeal, bulgur, whole-grain corn, and quinoa.

3. The product includes one of the following Food and Drug Administration approved whole-grain health claims on its packaging:

“Diets rich in whole grain foods and other plant foods and low in total fat, saturated fat, and cholesterol may reduce the risk of heart disease and some cancers.”

OR

“Diets rich in whole grain foods and other plant foods, and low in saturated fat and cholesterol, may help reduce the risk of heart disease.”

FNS is allowing the FDA whole grain health claims to be sufficient documentation to demonstrate compliance with the whole grain-rich criteria.

The Whole Grain Stamps from the Whole Grain Council may not be used to determine if a grain product meets the whole grain-rich criteria. Products that display a Whole Grain Stamp may also contain high amounts of non-creditable grains, such as non-enriched refined flour. Therefore, the Whole Grain Stamps from the Whole Grain Council alone are not sufficient documentation to demonstrate a product is whole grain-rich. Sponsors must still review the ingredient list to determine that whole grains are the primary grain ingredient and there are insignificant amounts of non-creditable grains. The **rule of three** is an easy way to accomplish this.

WIC Breakfast Cereals

WIC breakfast cereals labeled whole grain meet the current CACFP whole grain-rich criteria under method 3 (FDA labeling statement) as a method of determining whether a breakfast cereal meets the whole grain-rich requirement. WIC breakfast cereals identified with a purple circle and a “W” in the middle are whole grain breakfast cereals. WIC breakfast cereals include ready-to-eat and instant and regular hot cereals.

4. Proper documentation (from a manufacturer or a standardized recipe) demonstrates that whole grains are the primary grain ingredient by weight.

When a whole grain is not listed as the first ingredient or second after water, the primary ingredients by weight may be a whole grain if there are multiple whole-grain ingredients and the combined weight of those whole grains is more than the weight of the other enriched grains. Proper documentation from the manufacturer (i.e. a

Manufacturer's Product Formulation Statement) or a recipe must be available showing whole grain weights. The whole grain weights will have to add up to at least 50% of the total grains, and the rest of the grains must be enriched.

When the first ingredient (or second after water) on a grain food's (e.g. breads and rolls) ingredient list or the grain portion of a mixed product's (e.g. breaded chicken patties) ingredient list is not whole grain or enriched, Sponsors must requires proper documentation from a manufacturer demonstrating the primary grain ingredient by weight is whole grain to decide if the product meets the whole grain-rich criteria.

If documentation, such as a product formulation statement or recipe, is not available to show the whole grain weights, the product cannot be credited toward the whole grain-rich criteria of the meal pattern.

[Grains Flowchart](#) (on the CACFP [Meal Pattern and Menu Planning webpage](#))

ODE CNP has developed a flowchart to assist sponsors and providers in identifying creditable grains and whole grain-rich grain products. The flowchart incorporates all four methods of crediting whole grain-rich products, including the *rule of three*.

Menu Documentation for Grains/Breads

For all whole grain-rich items, maintain a copy of the ingredient statement on file in order to verify that the items served are whole-grain rich.

Menus must have the whole grain-rich food item documented to demonstrate that one serving of whole grain-rich food was provided during the day. Food ingredient labels, and Product Formulation Statements (if necessary) must be on file to ensure the whole grain-rich item meets grain requirements. If a grain component is served during the day and a whole grain-rich food is not served, the meal or snack with the lowest reimbursement will be disallowed.

For example: a center serves breakfast, lunch and snack and all meals had a grain component, but the menu does not document that any of the meals/snacks included a whole grain-rich food. Then the lowest reimbursed meal, the snack, would be disallowed.

See [Chapter 10 Menu Records](#) for more information on menu documentation.

Breakfast Cereals

Breakfast cereals include ready-to-eat cereals and instant and hot cereals. Breakfast cereals must meet the sugar limit and be whole grain-rich, enriched, or fortified.

For all types of cereals served there is a sugar limit: the cereal must contain no more than 6 grams of sugar per dry ounce in order to credit as part of the grains component. One (1) dry ounce is approximately 28 grams.

There are four (4) suggested methods to make sure a breakfast cereal meets the new sugar limits:

1. The easiest way is to use the Oregon WIC approved breakfast cereals list from the Oregon WIC Food list. All Oregon WIC approved cereals must contain no more than 6 grams of sugar per dry ounce, so they meet the same sugar limit requirements as CACFP. This is a quick way to make sure your cereal meets the new sugar limit.

The Oregon WIC website has a complete list of WIC approved cereals.

Note: WIC approved yogurt does not meet the sugar requirements, so should not be used to find creditable yogurt items.

2. Use USDA's Team Nutrition training worksheet "[Choose Breakfast Cereals That Are Low in Added Sugar](#)" found on the [USDA CACFP Meal Pattern Training Worksheets webpage](#). The worksheet includes a chart with common breakfast cereal serving sizes and the maximum amount of sugar the breakfast cereal may contain per serving.
3. Sponsors may also use the Nutrition Facts label on the cereal packaging to calculate the sugar content per dry ounce (see example provided below)
 - First, find the serving size in grams at the top of the Label and the sugars listed towards the middle.
 - Next, divide the total sugars by the serving size in grams.
 - If the answer is equal to or less than 0.212, then the cereal is within the required sugar limit and may be creditable in CACFP.
4. Use an FNS-provided alternate calculation that uses rounding and aligns with the Team Nutrition training worksheet noted above:
 - First, find the serving size in grams at the top of the Nutrition Facts label.
 - Multiply the serving size in grams by 0.212.
 - If the answer in step 2 ends in 0.5 or more, round the number up to the next whole number. If the answer in step 2 ends in 0.49 or less, round the number down to the next whole number. For example, if the answer in step 2 is 4.24, it is rounded down to 4.
 - Next, find the Sugars listed towards the middle of the Nutrition Facts label.
 - Compare the number from Step 4 with the number in Step 3. If the number from Step 4 is equal to, or less than, the number in Step 3, the cereal meets the sugar limit and may be creditable in the CACFP.

Calculating the Sugar Content of Breakfast Cereals Using Method #3

Using the sample nutrition facts label below,

1. First find the serving size. The serving size is 28 grams (outlined in red). Note, look at the grams, which is the weight, and not the cup, which is volume, when calculating sugar content.
2. Next find the amount for sugars. The grams of sugar are located under the heading "Total Carbohydrate" in the nutrition facts label (outlined in red). The amount of sugar in this cereal is 1 gram.
3. Divide by the serving size, which is 28 grams (which is equal to 1 dry ounce). This makes the amount of sugar 0.036, which is less than the threshold of 0.21. The cereal is creditable. The calculation of this cereal is shown underneath the nutrition facts label.

Cereal, corn flakes

Nutrition Facts	
Serving Size 1 cup (28g)	
Servings Per Container 12	
Amount Per Serving	
Calories 105	Calories from Fat 9
% Daily Values*	
Total Fat 2g	3%
Saturated Fat 0g	0%
Trans Fat 0g	
Sodium 139mg	6%
Total Carbohydrate 20g	7%
Dietary Fiber 3g	12%
Sugars 1g	
Protein 0g	0%

*Percent Daily Values are based on a 2,000 calorie diet.

Calculate the amount of sugar per serving:

$$\begin{array}{l} \text{Sugars in the cereal example} = \underline{1 \text{ gram}} \\ \text{Serving size of the cereal} \quad \quad \quad 28 \text{ grams} \end{array}$$

1 gram divided by 28 grams = 0.036 grams, which is less than 0.212 grams.

The Nutrition Facts Label must be saved for each breakfast cereal on the menu to show the amount of sugar provided by the cereal. [Chapter 10 Menu Records](#) provides additional detail for menu documentation requirements for breakfast cereals.

ODE CNP has [wallet size cards](#) to use for determining the sugar limits for breakfast cereals and yogurt on the [CACFP Meal Pattern and Menu Planning Page](#). [Instructions for using the wallet size cards](#) are also on the same webpage.

Grain-based Desserts

Because grain-based desserts are a source of added sugars and saturated fats, they help contribute to increased risks of chronic illnesses. Due to their impact on overall health, they are **not creditable** toward all reimbursable meals and snacks.

To assist in determining which grain items are considered grain-based desserts, FNS has revised the [Exhibit A: Grain Requirement for Child Nutrition Programs chart](#). Exhibit A is a list of grains grouped together by type. Items with a footnote of 3 or 4 in Exhibit A are grain-based desserts and are not creditable in the CACFP. Exhibit A has been color-coded to show which items are considered grain-based desserts. Items in red are those items with a footnote of 3 or 4 and are considered grain-based desserts. These items do not credit for the grains component.

Items, such as sweet crackers (i.e. graham crackers and unfrosted animal crackers) have a footnote of 5. These items may count toward the grain component in the CACFP. To reflect this, items with a footnote of 5 have been color-coded in blue on Exhibit A.

Below is a list of grain based desserts. This is by no means a complete list, but it covers some of the common grain based desserts that are served. None of the items listed below creditable towards a reimbursable meal. Note that savory pie crusts, such as used in main dish pot pies, do not fall under the list of grain-based desserts.

When special events are planned, such as celebrations and festivals, grain-based desserts can be served as an extra food item only. The grain-based dessert is not part of the reimbursable meal or snack. Additionally, since grain-based desserts are not creditable, then CACFP funds may not be used to purchase them.

List of Grain-based Dessert (not a complete list)

- Breakfast Bars
- Brownies
- Cakes
- Cereal Bars
- Cookies
- Doughnuts
- Granola Bars
- Sweet bread puddings
- Sweet piecrusts
- Sweet rolls, scones
- Toaster pastries

Crediting Meat/Meat Alternates

Meat includes lean meat, poultry or fish. Meat alternates include cheese, eggs, yogurt, cooked dry beans or peas, nuts and seeds and their butters, and alternate protein products (APP).

Cheese food and imitation cheese are not creditable meat/meat alternates.

To be counted toward meeting any part of the Meat/Meat Alternate requirement, a food item must provide a minimum of $\frac{1}{4}$ ounce cooked lean meat or meat equivalent. The rest of the required Meat/Meat Alternate serving must be met by adding other Meat/Meat Alternate foods.

A serving of cooked meat is considered to be lean meat without bone.

Nuts and seeds may fulfill no more than one-half of the Meat/Meat Alternate requirement for lunch and supper but may fulfill all of the Meat/Meat Alternate requirement for a snack. One ounce of nuts or seeds is equal to one ounce of cooked lean meat. Acorns, coconut and chestnuts are not creditable as Meat/Meat Alternates.

Shelf-stable, dry, or semi-dry, meat snacks made from meat, poultry or seafood do not credit in any meal served under the Department of Agriculture's (USDA) Child Nutrition (CN) Programs. If you have questions about a specific item, contact your assigned Child Nutrition Specialist.

Alternate Protein Products (APP) is creditable as Meat/Meat Alternates only as described in the USDA Food Buying Guide. If you have questions about a specific item, refer to the [USDA Food Buying Guide \(FBG\)](#). If you have additional questions, contact your assigned Child Nutrition Specialist.

Cooked dry beans or peas (legumes) may be counted as a Vegetable component or as a Meat/Meat Alternate component. When a meal contains one serving of beans and peas (legumes), it can only count toward the meat/meat alternate component or the vegetable component and not both. When a meal contains two distinct servings of different beans and peas (legumes), one may be counted towards the vegetable component and one towards the meat/meat alternate component, if they are in separate dishes. For example: legumes served as part of a salad (vegetable component) and as part of a chili or bean soup (meat/meat alternate).

Meat/meat alternates at breakfast:

A meat/meat alternate may be substituted for the entire grain component for breakfast up to three times a week. For example, instead of toast, oranges, and milk, a hardboiled egg or baked tofu with orange slices, and milk may be served instead.

As a reminder, bacon is **NOT** a creditable meat in the USDA Food Buying Guide despite being a common breakfast item.

When serving meat/meat alternates in the place of grains for breakfast, 1 ounce of meat/meat alternate is equal to 1 serving of grains.

This flexibility for breakfast will allow more variety in breakfast menus.

Yogurt

A serving of yogurt includes commercially prepared plain or flavored yogurt, unsweetened or sweetened and soy yogurt. Homemade yogurt is not creditable. Yogurt must contain no more than 23 grams of TOTAL sugar per 6 ounces.

Four (4) ounces of yogurt credits as 1 ounce meat/meat alternate.

Yogurt may be served in place of milk once per day. Six (6) ounces (weight) or $\frac{3}{4}$ cup (volume) yogurt may be used to meet the equivalent of eight (8) ounces of fluid milk once per day, when yogurt is not served as a meat alternate in the same meal. It is recommended to serve water at meals or snacks when yogurt substitutes for milk.

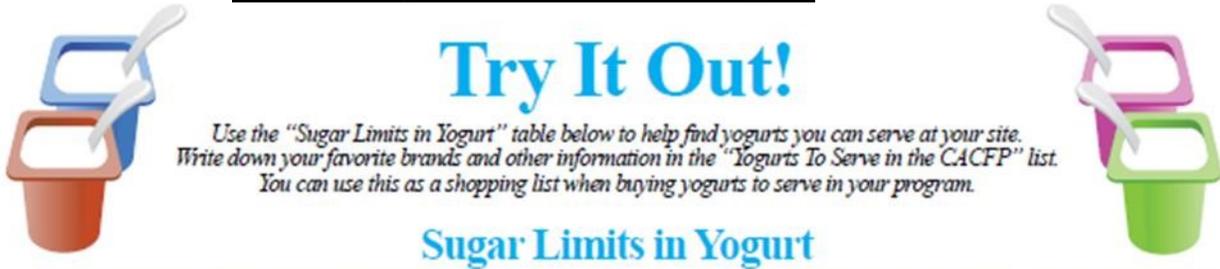
The following are not creditable as meat/meat alternates:

- Frozen yogurt
- Drinkable yogurt
- Homemade yogurt
- Yogurt flavored products
- Yogurt bars
- Yogurt covered fruits and nuts

- Yogurt in commercially prepared smoothies

There are 2 ways to determine if a yogurt product meets the sugar limit requirements.

1. The first method is called the chart method
 - a. The first step is to look at the nutrition facts label for the yogurt.
 - b. Identify the serving size. In the sample Nutrition Facts label below, the serving size is a six (6) ounce container. It is important to be aware that the serving size may be different than the package size.
 - c. Find the total amount of sugars. The total amount of sugars is under the heading "Total Carbohydrates". In the example below, the serving size has 19 grams of sugar.
 - d. Look at the yogurt sugar limit chart below:
 - i. Find the serving size, in this case, 6 ounces, and check whether the amount of sugar in the yogurt is less than or equal to the amount listed in the chart for the same serving size in ounces. In this example, a serving size of six (6) ounces of yogurt can have no more than 23 grams. The sugar amount is 19 grams, which is less than 23 grams, so the yogurt is creditable. The yogurt chart is also available on the [USDA Team Nutrition CACFP Meal Pattern Training worksheet](#) titled: "Choose Yogurts Lower in Added Sugar".



Try It Out!

Use the "Sugar Limits in Yogurt" table below to help find yogurts you can serve at your site. Write down your favorite brands and other information in the "Yogurts To Serve in the CACFP" list. You can use this as a shopping list when buying yogurts to serve in your program.

Sugar Limits in Yogurt

Serving Size Ounces (oz)	Serving Size Grams (g) <small>(Use when the serving size is not listed in ounces)</small>	Sugars	Serving Size Ounces (oz)	Serving Size Grams (g) <small>(Use when the serving size is not listed in ounces)</small>	Sugars
If the serving size is:		Sugars must not be more than:	If the serving size is:		Sugars must not be more than:
1 oz	28 g	4 g	4.75 oz	135 g	18 g
1.25 oz	35 g	5 g	5 oz	142 g	19 g
1.5 oz	43 g	6 g	5.25 oz	149 g	20 g
1.75 oz	50 g	7 g	5.3 oz	150 g	20 g
2 oz	57 g	8 g	5.5 oz	156 g	21 g
2.25 oz	64 g	9 g	5.75 oz	163 g	22 g
2.5 oz	71 g	10 g	6 oz	170 g	23 g
2.75 oz	78 g	11 g	6.25 oz	177 g	24 g
3 oz	85 g	11 g	6.5 oz	184 g	25 g
3.25 oz	92 g	12 g	6.75 oz	191 g	26 g
3.5 oz	99 g	13 g	7 oz	198 g	27 g
3.75 oz	106 g	14 g	7.25 oz	206 g	28 g
4 oz	113 g	15 g	7.5 oz	213 g	29 g
4.25 oz	120 g	16 g	7.75 oz	220 g	30 g
4.5 oz	128 g	17 g	8 oz	227 g	31 g

The second method is a calculation method:

- a. USDA has established a threshold number, which is the maximum amount of sugars per ounce that is allowed for yogurt. This threshold is 3.83 grams of sugar per ounce.

- b. If there is a yogurt that does not come in the serving sizes listed on the chart, the total amount of sugar per ounce will need to be calculated to determine if the yogurt is at or below the threshold of 3.83 grams of sugar per ounce.
- c. The threshold number is calculated by dividing 23 grams of sugar by six (6) ounces of yogurt, which is the sugar limit established by the regulations.
- d. For the sample Nutrition Facts label below calculate the amount of sugar per ounce by:

sugars = 19 grams = 3.16 grams

serving size 6 ounces

16 grams of sugar per ounce is below the threshold of 3.83 grams of sugar per ounce.

Nutrition Facts	
Serving Size 6 oz Container	
Amount Per Serving	
Calories 90	
	% Daily Values*
Total Fat 0g	0%
Saturated Fat 0g	0%
Trans Fat -1g	
Cholesterol 6mg	2%
Potassium 140mg	4%
Sodium 65mg	3%
Total Carbohydrate 14g	5%
Dietary Fiber 2g	8%
Sugars 19g	
Protein 12g	24%
Calcium 15%	Vitamin D 10%
*Percent Daily Values are based on a 2,000 calorie diet. Your Daily Values may be higher or lower depending on your calorie needs.	
	Calories 2,000 2,500
Total Fat	Less than 65g 80g
Sat Fat	Less than 20g 25g
Cholesterol	Less than 300mg 300mg
Sodium	Less than 2400mg 2400mg
Total Carbohydrate	300g 375g
Dietary Fiber	25g 30g

The Nutrition Facts Label must be saved for each yogurt on the menu to show the amount of sugar provided by the yogurt. [Chapter 10 Menu Records](#) provides additional detail for menu documentation requirements for yogurt.

Crediting Tofu

Tofu that is commercially made credits as a meat/meat alternates for participant’s meals. Soy links and sausages must have CN labels or manufacturer’s Product Formulation Statement (PFS) that meets protein requirements. Tofu cannot be credited as part of a reimbursable meal for infants.

Tofu can be purchased in many forms, including silken, soft, firm, and extra firm.

Commercially prepared tofu must be easily recognized as a meat substitute, meaning that the tofu cannot be blended in a smoothie or soup.

Tofu must meet the protein requirements of 5 grams of protein per 2.2 ounces by weight. Only firm and extra firm will meet the protein requirements for tofu.

The resource “Serving Tofu and Soy Yogurt as a Meat Alternate in CACFP” is a useful tool to help determine whether tofu is creditable. This resource is available on the ODE CNP website at the following link

Nutrition labels with Manufacturer’s name and brand name for all tofu served must be saved to verify that the tofu served meets protein requirements.

The ODE CNP website also has recipe ideas from USDA and the state of Wisconsin. The link for these recipes is: [Tofu Recipes](#).

The Nutrition Facts Label must be saved for each tofu item on the menu to show that the item meets the protein requirements. [Chapter 10 Menu Records](#) provides additional detail for menu documentation requirements for yogurt.

Crediting Vegetables/Fruits

Vegetables and Fruits are two separate components. At lunch and supper one serving of vegetable component and one serving of the fruit component must be provided. Alternately, a vegetable may be served to meet the entire fruit component for lunch and supper. When a vegetable is substituted for the fruit component at lunch and supper then the amount of vegetable served must be the same serving size as the fruit component it replaced. Additionally, the vegetable offered in place of the fruit component must be different from the vegetable offered as the vegetable component. For example, two servings of carrots would not be creditable for a lunch or supper

One cup of raw (uncooked) leafy greens (i.e. lettuce, spinach, etc.) counts as ½ cup vegetables, and ¼ cup dried fruit counts as ½ cup fruit. Cooked leafy greens credit as the volume served. For example, ½ cup cooked spinach credits as ½ cup vegetable.

At snack a serving of a vegetable component and a serving of a fruit component may be offered.

Cooked dry beans or peas (legumes) may be counted as a Vegetable component *or* as a Meat/Meat Alternate component. When a meal contains one serving of beans and peas (legumes), it can only count toward the meat/meat alternate component or the vegetable component and not both. When a meal contains two distinct servings of different beans and peas (legumes), one may be counted towards the vegetable component and one towards the meat/meat alternate component, if they are in separate dishes. For example: legumes served as part of a salad (vegetable component) and as part of a chili or bean soup (meat/meat alternate).

A minimum of 1/8 cup of vegetable or fruit must be served to count toward the Vegetable or Fruit meal pattern requirement when served in combination dishes or when used as garnishes. For example, vegetable soup must have at least 1/8 cup of vegetables per serving

to count toward the Vegetable meal pattern component requirement. Lettuce on a sandwich must be at least equal to 1/8 cup equivalent to count toward the Vegetable meal pattern requirement.

Mixed fruit and vegetable dishes, such as carrot-raisin salad, may credit for both the fruit and vegetable components as long as the mixed dish contain at least 1/8 cup of both vegetable and fruit in easily identifiable forms.

Vegetable mixes, such as broccoli and cauliflower mixes may also credit for the vegetable component and substitute for the fruit component at lunch and supper if the mix contains at least 1/8 cup of two different types of vegetables. This is because a vegetable can replace the fruit component for lunch and supper.

For mixed fruit and vegetable dishes, the quantities of the different fruits and vegetables must be known. This means that pre-mixed vegetable mixtures, such as frozen carrots and peas, can't credit for 2 different vegetables.

A serving of cooked vegetables means *drained* vegetables. A serving of cooked, canned, or frozen, thawed fruit means fruit with its juices.

Home canned vegetables and fruits are not creditable.

Juice

Fruit and vegetable juice must be 100 percent juice or [CN labeled](#). It may be fresh, canned, frozen or reconstituted from concentrate to its full-strength form. Full-strength fruit and vegetable juice is creditable toward the Vegetable or Fruit meal pattern component under the following conditions:

- Juice (vegetable or fruit) may only be served for one meal or snack per day.
- Fruit and vegetable juice must be pasteurized.
- Vegetable or fruit juice may not be credited toward fulfilling the Snack meal pattern requirement when milk is the only other component served
- Pureed fruits and vegetables in smoothies are considered juice
- Fruit juice blends (or fruit and vegetable juice blends) are creditable as long as the blended juice is 100% fruit juice (100% fruit and 100% vegetable juice). Juice blends can credit as a fruit component or a vegetable component. To determine what food component a juice blend contributes to, look to the ingredient list. If there are more fruit than vegetables in the ingredients list, the juice contributes to the fruit component, if there is more vegetables than fruit in the ingredients list, the juice contributes to the vegetable components.
- CN labeled fruit juice blends are credited as stated on the CN label statement

Crediting Milk

Fluid milk must be served to meet the Milk meal pattern component requirement. Milk must be pasteurized, vitamin A and D fortified, and meet State standards for fluid milk. Cultured buttermilk, lactose-reduced milk, lactose-free milk, or acidified milk are creditable.

Milk served to adults must be flavored or unflavored low-fat (1%) or fat-free.

Yogurt may be served in place of milk once per day

For breakfast meals, a serving of fluid milk can be served as a beverage, used on cereal, or used in part for each purpose.

When milk is one of the two components served for a snack, juice may not be the only other component served.

Milk used in cooked cereals, puddings, soups, or other foods may not be credited toward the Milk meal pattern requirement.

Fluid Milk can be:

- Lactose reduced
- Lactose free
- Buttermilk
- Acidified milk

Combination Foods

Combination foods contain foods from more than one food group (Examples: casserole dishes, soups, and breaded meat items). Combination food dishes may be used to credit a total of three different meal components: Meat/meat alternate, Grains/breads, Vegetable or Fruit component.

Combination foods may be homemade or commercially prepared. Homemade combination foods are those that are assembled from multiple ingredients in a kitchen serving the Sponsor's site(s), whether the kitchen is operated by the Sponsor or operated by the vendor from whom the Sponsor is purchasing meals.

To count a homemade combination food item toward meal pattern component requirements, the Sponsor must have a *written recipe* documenting the amount of all ingredients in the product. Refer to [Chapter 10 Menu Records](#), for specific details on recipe documentation.

For commercially prepared combination food items on the menu, the Sponsor must have one of the following on file:

- A Child Nutrition (CN) Label
- Documentation from the food manufacturer in the form of a [manufacturer's Product Formulation Sheet \(PFS\)](#) that certifies the amount of creditable ingredients in the product
- Product label for meat/meat alternate items with a [Standards of Identity](#).

For more information on CN labels, PFS and Standards of Identity refer to [Chapter 10 Menu Records](#).

Section D – Exceptions to the Meal Pattern & Medical Statements

Federal regulations require Child Nutrition Programs Sponsors to offer to all participants' breakfasts, lunches, suppers, snacks, and milk that meet the meal requirements identified in the individual Program regulations.

Federal regulations further **require** Sponsors to make substitutions to the standard meal requirements for participants who are determined to be disabled and whose disability restricts

their diet. See *Participants with Disabilities*, below. CFR 210.10 (g)(1), CFR 220.8 (d), 226.20(h), and 225.16(f)(4).

A Sponsor may, **at their discretion**, make substitutions for individual participants who are not persons with disabilities but are unable to consume a food item because of medical or other special dietary needs. See [Participants Without Disabilities](#).

If a state licensed physician or health care professional, who is authorized to write medical prescriptions under state law, assesses that a special dietary need such as a food allergy or a medical condition may substantially limit a major life activity or a major bodily function, the participant may then meet the definition of a person with disabilities, and the Sponsor must make the substitutions prescribed by the state licensed health care professional. In Oregon, State licensed health care professionals include:

Medical Doctors of Medicine (MD);
Doctors of Osteopathy (DO);
Doctors of Naturopathy (ND);
Physician's Assistant (PA);
Certified nurse practitioner or clinical nurse specialist;
Doctor of Dental Medicine (DMD);
Doctor of Dental Surgery (DDS);
Doctor of Optometry (OD).

ODE CNP has two forms to be used by sponsors when a parent/guardian or adult participant identifies that a disability or medical or other special dietary needs exists

- [Medical Statement--Accommodate Disabilities](#)
- [Milk Substitute Request \(form is available in English, Spanish, Chinese, Russian, and Vietnamese on the CACFP Special Dietary Needs webpage\)](#)

In addition, ODE CNP has created two resources to assist Sponsors in determining when a *Medical Statement* or *Milk Substitute Request* may be required and which form to use:

- [Meal Substitutions Quick Guide](#)
- [Medical Statement Decision Tree](#)

Participants with Disabilities

The ADA Amendments Act of 2008 expanded and clarified the definition of Disability. It did not change the expectation to provide a reasonable modification. The Act makes it very clear that the emphasis must be on providing the reasonable modification, and not placing a burden on the disabled participant to prove he or she has a disability.

A person with a disability is defined as any person

- With a physical or mental impairment which substantially limits one or more major life activities,
- Who has a record of such impairment, or
- Who is regarded as having such impairment.

“Major life activities” are broadly defined and included, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. “Major life activities” also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

The term “Substantially Limits” has been revised to

- Recognize that an impairment does not need to prevent or severely/significantly restrict a major life activity
- Recognize that the determination of an impairment is based on individualized assessment or a case-by-case basis
- Recognize that participants who take measures to improve or control an impairment are still considered to have a disability and require an accommodation
- Include an impairment that is episodic or in remission if it would substantially limit a major life activity when active.

Program regulations require Sponsors to provide modifications for participants with disabilities on a case-by-case basis only when requests are supported by a written statement from a State licensed healthcare professional.

Meals that do not meet the Program meal pattern requirements are not eligible for reimbursement unless supported by a medical statement. However, Sponsors may choose to accommodate requests related to a disability that are not supported by a medical statement if the requested modification can be accomplished within the meal pattern (i.e. the modification does not eliminate a meal pattern component or requirement). Such meals are reimbursable.

The USDA memo: *“Policy Memorandum on Modifications to Accommodate Disabilities in the Child and Adult Care Food Program and Summer Food Service Program”*, dated June 22, 2017, provides additional information on meal accommodations. The ODE CNP memo *“Guidance Related to the ADA Amendments Act”*, dated June 10, 2013, provides additional information how the ADA Amendments Act of 2008 broadened the list of Major Life Activities used in identifying disabilities. Visit the [USDA Child and Adult Care Food Program Policy Memos webpage](#) for more information.

A participant whose disability restricts his or her diet shall be provided substitutions in foods only when supported by a [Medical Statement- Accommodate Disabilities](#) form signed by an Oregon licensed health care professional, who is authorized to write medical prescriptions.

The medical statement shall include:

- Enough information regarding participant's physical or mental impairment that is sufficient to allow the sponsor to understand how the disability restricts the participant's diet;
- An explanation of what must be done to accommodate the disability;
- If the accommodation includes modifying foods provided to the participant, then the food or foods to be omitted and recommended substitutions must be identified.

For example: If the disability would require caloric modifications, meal pattern or frequency modifications, or the substitution of a liquid nutritive formula, then the information must be included in the statement.

If the participant with disabilities requires only textural modification(s) to the regular program meal, as opposed to a meal requirement modification, the medical statement is recommended but not required. In such cases, the purpose of the statement is to assist the Sponsor in making the appropriate textural modification(s). Unless otherwise specified by the Oregon licensed health care professional the meals modified for texture will consist only of food items and quantities specified in the regular menus.

Sponsors must make reasonable modifications to the meal, including providing special meals at no extra charge, to accommodate disabilities which restrict a participant's diet.

Participants without Disabilities

Sponsors are not required to make substitutions for participants whose conditions do not meet the definition of a person with disabilities. For example, individuals who have elevated blood cholesterol generally do not meet the definition of a person with disabilities, and thus Sponsors are not required to make meal substitutions for them. In most cases, the special dietary needs of participants without disabilities may be managed within the normal program meal service when a well-planned variety of nutritious foods is available to participants or *Offer versus Serve* is available and implemented.

However, *Offer versus Serve* is not available and the requested substitution eliminates a meal component, the meals may not be claimed for reimbursement. The ODE CNP Medical Decision Tree may be used to determine if a written medical statement or milk substitute is required and what meals may be reimbursed when substitutions are requested. The link to the [Medical Decision Tree is found on the Child Nutrition Program Special Dietary Needs webpage](#). Milk Substitutions/Non-dairy Beverages--Participants without Disabilities

In the case of participants who cannot consume fluid cows milk due to medical or other special dietary needs, *but do not have a disability*, non-dairy beverages may be served in lieu of fluid milk. Participants without disabilities who request a substitution for the fluid milk requirement at meals and snacks must submit a [Milk Substitute Request form located on the Child Nutrition Program Special Dietary Needs webpage](#). The form may be signed by the participant, the participant's guardian, or recognized medical authority.

Non-dairy beverages must be nutritionally equivalent to cow's milk and meet the nutritional standards for fortification of calcium, protein, vitamin A, vitamin D, and other nutrients to levels found in cow's milk, as outlined in the National School Lunch Program (NSLP) regulations at

7CFR 210.10(m)(3) and USDA Policy Memos: SP 02-2009, SP 07-2010, CACFP 04-2010, and SFSP 05-2010.

There is a [list of milk substitutes nutritionally equivalent to milk](#) available on [the Child Nutrition Program Special Dietary Needs web page](#). This list may be used to help Sponsors identify non-dairy beverages that meet the above standards. The non-dairy substitutes that are currently determined to meet the nutritional standard for fluid milk for use as part of a reimbursable meal are included on the list of milk substitutes nutritionally equivalent to milk.

The [Milk Substitution Request form](#) must identify the medical or other special dietary need (except a disability) that restricts the diet of the participant. Non-dairy beverages that are not nutritionally equivalent to cow's milk and do not meet the nutritional standards outlined above cannot be claimed as part of a reimbursable meal. Juice and water are not nutritionally equivalent to milk, so they would not be a reimbursable substitution.

Example: If a participant follows a vegan diet, the adult participant or the adult participant's guardian can submit the *Milk Substitute Request* form to the participant's center asking that soy milk be served in lieu of cow's milk. The form must identify that Vegan Diet is the special dietary need that restricts the diet of the participant. The non-dairy milk substitution must be nutritionally equivalent to cow's milk and meet the nutritional standards for fortification as outlined above. Such substitutions are at the option and the expense of the Sponsor.

Note: Meals containing non-dairy beverages that are not nutritionally equivalent to milk *may* be reimbursable **only for participants with disabilities** who have a [Medical Statement--Accommodate Disabilities form](#) on file signed by a licensed health care professional who is authorized to write prescriptions under State law.

USDA Reimbursement and Meal Changes

Reimbursement for meals served with an authorized substitute food to participants with disabilities or to participants without disabilities with other special dietary needs shall be claimed at the same reimbursement rate as meals that meet meal requirements.

Furthermore, there shall not be a supplementary charge for the substituted food item(s) to either a participant with disabilities or to a participant without disabilities with other special dietary needs.

In providing foodservices, all CACFP Sponsors are recipients of federal financial assistance. Sponsors may not discriminate on the basis of disability and shall serve special meals, at no extra charge, to participants whose disability restricts their diet. While any additional costs for substituted foods are considered allowable program costs, no additional Child Nutrition Programs reimbursement is available. Sources of supplemental funding that Sponsors may have available to them may include:

- Special education funds (if the substituted food is specified in the participant's individualized education program)
- The Sponsor's general account
- The Sponsor's non-profit foodservice account

Cooperation

When implementing meal substitutions Sponsors and their staff should work closely with the adult participant, or responsible family member(s) and with all other medical and community personnel who are responsible for the health, well-being and education of participants with disabilities or with other special dietary needs to ensure that reasonable accommodations are made to allow such individuals' participation in the meal service.

Menu Documentation

Substitutions to the regularly planned menu must be documented. The documentation may be made on the working menu or on a separate document depending on the number and complexity of substitutions made (see [Chapter 10 Menu Records](#)).

Sponsors should contact their assigned Child Nutrition Specialist for further assistance in clarifying what documentation may be required for their program.

Section E – Special Situations

Meals Eaten at Another Location

Meals served in the CACFP are intended to be consumed in settings where organized groups of eligible adults are gathered to eat. This means that meals must be consumed on-site in order for the meal to be reimbursable unless ODE CNP has approved for off-site consumption during field trips. If meals are consumed off-site, such as during a field trip, Sponsors must first receive ODE CNP approval to claim meals off-site. Failure to meet this congregate feeding requirement will result in the disallowance of meals and may lead to a determination of serious deficiency in the Program

Meals or snacks served at an alternate location (e.g., field trip) provided by the Sponsor and supervised by the Sponsor's staff may be claimed for reimbursement. Sponsors must submit a request via email for all field trips by site to the assigned Child Nutrition Specialist at least 48 hours prior to the date of the field trip. The Specialist will provide verification of receipt of the field trip request and field trip approval via email

Meals that are served off-site must meet CACFP meal pattern requirements to be claimed for reimbursement. The meals must be supervised and a point-of-service meal count documented during the field trip. Caution must be taken to ensure that potentially hazardous foods are stored and served according to local public health policies. Check with your county health officials to confirm the food safety requirements for transporting and consuming food off-site.

Meals packed by the Sponsor and sent with a participant to eat at another location *without the supervision of the Sponsor's personnel* are not eligible for CACFP reimbursement. Meals purchased at restaurants or fast food establishments may not be claimed for reimbursement.

If Sponsors have additional questions about meals served at locations other than an approved site, they should contact their assigned Child Nutrition Specialist.

Food Provided by Guardians

Generally, food provided by guardians may not be counted as fulfilling meal pattern component requirements in the CACFP. If guardians provide an additional food, such as a dessert item, and the Sponsor provides the required components, the meal may be claimed for reimbursement. Such foods should be served after the required components to help ensure that the foods in the CACFP meal pattern are eaten first and the adult's nutritional

needs are met before additional foods are offered. Guardians cannot be required or coerced to provide any food(s) for the adult who is participating in the CACFP.

Exceptions to Food Provided by Guardians

Meals may be claimed for reimbursement when guardians provide a required component in the following instances:

- When there is a signed *Medical Statement for Food Substitutions Form*, guardians may choose to provide one food substitution.
- If a participant or guardian provides a non-dairy milk substitute that meets the nutritional standards as outlined in 7 CFR 210.10(m)(3) and that has been approved by the State agency, the caregiver may serve the non-dairy milk substitute and still claim reimbursement for the meal.

Donation of Leftover Foods--Food Donation Policy

ODE CNP is committed to preventing hunger and to responsible stewardship of Federal dollars. Child Nutrition Program policy aims first to limit food waste and unnecessary costs. If a CACFP Sponsor has leftover food on a frequent basis, menu planning and production practices should be adjusted to reduce leftovers.

Nevertheless, because of unforeseen circumstances, occasionally there will be leftover food. All alternatives permitted by Program regulations and State and local health and sanitation codes should be exhausted before discarding food. Options may include using leftovers in subsequent meal services; offering *sharing tables* (*Afterschool At-Risk Programs* see [Chapter 15 Afterschool At-Risk Meals & Snack Program](#)); or, transferring food to other sites, if a multi-site Sponsor.

Where it is not feasible to reuse leftovers, excess food may be donated to a nonprofit organization, such as a community food bank, homeless shelter, or other nonprofit charitable organizations.

Donation and Service of Traditional Foods

Section 4033 of the Agricultural Act of 2014 (P.L. 113-79) (Farm Bill) directs the U.S. Department of Agriculture (USDA) and the Food and Drug Administration to allow the donation to and serving of traditional food through food service programs at public facilities and nonprofit facilities, including those operated by Indian tribes and facilities operated by tribal organizations, that primarily serve Indians.

The Farm Bill defines traditional food as “food that has traditionally been prepared and consumed by an Indian tribe” and specifically includes in that definition:

- wild game meat
- fish
- seafood
- marine mammals
- plants, and
- berries

Sponsors that accept and serve donated traditional food must:

- ensure that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;
- make a reasonable determination that
 - the animal was not diseased;
 - the food was appropriately butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and
 - the food will not cause a significant health hazard or potential for human illness;
- carry out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;
- clean and sanitize food-contact surfaces of equipment and utensils after processing the traditional food;
- label donated traditional food with the name of the food;
- store the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator;
- follow Federal, State, local, county, Tribal, or other non-Federal law regarding the safe preparation and service of food in public or nonprofit facilities; and
- follow other such criteria as established by the Secretary of Agriculture and Commissioner of the U.S. Food and Drug Administration.

Many traditional foods may also be purchased and served as part of a meal service. Fresh grown fruits and vegetables and freshly caught fish are allowable in CACFP if these foods meet the policies of the State and local (county) Environmental Health Department regarding food safety.

Meat and meat products must be USDA inspected in order to be allowable in CACFP. USDA's Food Safety and Inspection Service (FSIS) has mandatory inspection authority over all food products from cattle, sheep, swine, goats, horses, mules, and other equines, chicken, turkeys, ducks, geese, guineas, ratites (emu, ostrich, and rhea) and squab. Additionally, FSIS does voluntary inspection of reindeer, elk, deer, antelope, water buffalo, bison, migratory water fowl (such as ducks and geese), game birds and rabbits.

All game meat must be purchased from USDA inspected establishments, or State Meat and Poultry Inspection Programs. Uninspected game meat is not allowed to be served in FNS Child Nutrition Programs except when facilities, including schools, and sites operated by Indian tribes and tribal organizations, that primarily serve Indians accept donations of game meat (see ODECNP memo "USDA Policy Memo- Service of Traditional foods in Public Facilities" issued October 15, 2015).

Traditional Native American foods that are not creditable under CACFP may be served as *additional* foods with a meal or snack that meets the minimum meal pattern requirements. These foods must be served in addition to, not in place of, the required components of the meals and may not be purchased with CACFP funds.

Section F – Styles of Meal Service

For all meal service styles, food components must be served in sufficient amounts to meet minimum portion requirements. All components must be served together either on the table or given to each participant at the beginning of the meal. For example, milk or fruit cannot be served later in the meal than the other components.

It is important to note that meals packed by the Sponsor and sent with a participant to eat at another location without the supervision of the Sponsor's personnel are not eligible for CACFP reimbursement (see [Section E—Special Situations](#)).

Sponsors may choose one of the following methods of serving CACFP meals:

Restaurant Style Meal Service

In restaurant style meal service (or preset meal service), all food components are portioned and served on the plate and in the cup for each participant. Minimum portion sizes of each required component must be served together to each participant at the beginning of the meal.

The point-of-service meal count is taken when all meal components are placed on the table and the participants are seated at the table with a complete meal in front of them.

Family Style Meal Service

Family style meal service allows participants to eat together and to make food choices based on individual appetites and food preferences. It promotes mealtime as a learning experience to help participants develop positive attitudes toward nutritious foods, share in group eating situations, and develop good eating habits.

Family style meal service operates as follows:

- All required meal components are placed on the table at the same time.
- Adequate amounts of each food item must be placed on the table to provide at least minimum portions for each participant and supervising adult to be served.
- Participants may serve themselves from serving dishes or communal bowls that are on the table.
- Adults supervising the meal help those participants who are not able to serve themselves.
- Participants are allowed to make choices selecting foods and in the size of the serving.
- A supervising adult must be seated at each table to actively encourage participants to take the full required portion of each food component. The supervising adult must offer the food item again later in the meal if participants initially refuse the food or take a very small portion.
- The point-of-service meal count should be taken at the time participants are seated at the table with all required components placed on the table.

Family style meal service can be conducted in a variety of ways. For example, participants may help in preparing for the meal by clearing the table and setting places, sharing conversation during the meal and cleaning up after the meal.

Combination Restaurant and Family Style Meal Service

Some Sponsors find a combination of restaurant style and family style best meets the participants' needs. Combination meal service operates as follows:

- The full minimum required portion of one or more components are served restaurant style to each participant.
- The remaining components are served on the table in communal serving dishes or pitchers adhering to all of the Family Style Meal Service requirements.
- All components must be offered to participants at the same time. For example, it is not acceptable to serve participants the Meat/Meat Alternate and Vegetable/Fruit components and wait for five minutes before setting the Grains/Breads and the Milk components on the table.
- In this meal service style, all the rules governing each service style apply to the foods served using that method. For example, if staff pours milk into glasses, at least the minimum required amount must be poured for each child and offered when the rest of the meal components are served.
- The point-of-service meal count must be taken when the participants are seated at the table, have been served the full minimum portions of the items served restaurant style, and the remaining items are placed on the table.

Cafeteria Style Meal Service

In cafeteria style, participants select food from a cafeteria line. Food is not available at the dining table. Cafeteria meal service operates as follows:

- Participants must select the minimum required amounts of all required components their first time through the cafeteria line.
- Adults must supervise the cafeteria line to ensure each participant selects at least the minimum required portions of all required food components.
- The point-of-service meal count must be taken when the participant has a complete, reimbursable meal in hand, and before or as they leave the cafeteria serving line.

Ordering from a Central Kitchen or Vendor

When the Sponsor is ordering food from a central kitchen or from a vendor and has a significant number of Program participants at the feeding site with documented medical needs for smaller portions, the following policy *may* apply, Contact your assigned Child Nutrition Specialist if you have additional questions:

Sponsors of adult day service centers may order less food than the amount needed to provide at least minimum meal pattern quantities of all components for all participants at the site under the following circumstances:

- The Sponsor is using restaurant-style meal service; and,
- Valid [Medical Statements- Accommodate Disabilities](#) forms (located on the [Child Nutrition Program Special Dietary Needs webpage](#)) are on file for specific participants prescribing portions smaller than required by the CACFP adult meal pattern.
- *The medical statement will be considered invalid if the dietary restriction and food substitution are not clearly described. For example, if the dietary restriction is simply*

stated as, “smaller portions”, the medical statement would be considered invalid. An example of valid dietary restriction statement would be:

Foods to be omitted: “Full serving sizes of each component.”

Foods to be substituted: “½ serving sizes of each component. Offer additional food if participant will take more.”

Offer Versus Serve (OVS) Option

Under the normal meal service for Adult Day Care Programs, participants are *served* at least the minimum required servings of every meal pattern component and participants must take the complete meal, as served, in order for the Sponsor to claim the meal for reimbursement.

At the discretion of the Adult Day Care Program Sponsor, participants may be permitted to decline a certain number of servings offered without affecting the reimbursement for the meal. This provision is called “offer versus serve” (OVS). OVS is only allowed for breakfast, lunch and supper meals. **OVS is not allowed at snack**. OVS may not be implemented at snack because there are only two required components, and therefore, there is not enough food to allow a participant to decline some foods and ensure that the snack the participant takes is nutritionally sufficient. Using OVS can help Sponsors reduce food waste and cost while maintaining the nutritional value of the meal served. Using OVS is optional.

Under OVS, all meal pattern component servings in the correct serving sizes must be *offered*, but the participant can decline up to 1 serving of any meal pattern component item for breakfast, and up to two servings of any meal pattern component items for lunch or supper.

The participant must, however, take full portions of the remaining meal pattern component servings in order for the Sponsor to claim the meal for reimbursement. The OVS provision is detailed on the *Adult Meal Pattern Offer Versus Serve Requirements* chart below.

Sponsors must be approved by ODE CNP to use OVS in the Adult Day Care Programs before implementing this meal service style.

Adult Meal Pattern Offer Versus Serve Requirements

Breakfast

When using OVS at breakfast, at least the following four food items, in the required minimum serving sizes, *must be offered*:

- A serving of milk
- A food item from the fruit and vegetable component
- A food item from the grains component
- A food item from the meat/meat alternate component or one additional item from the fruit and vegetable component or grains component

A participant must take at least three different food items from any of the food items offered. The food items selected may be from any of the required components and must be in the required minimum serving sizes

Lunch/Supper

When using OVS at lunch or supper, at least one food item from each of the five food components, in the required minimum serving sizes, required at lunch and supper *must be offered*:

- A serving of milk*
- A food item from the meat/meat alternate component
- A food item from the vegetable component
- A food item from the fruit component
- A food item from the grains component

Note: all five components must be offered in OVS for lunch and supper. A participant must take at least three food components, rather than three items, to ensure the adult takes an adequately nutritious meal. For instance, a hamburger on a whole wheat bun and milk would count as a reimbursable meal. Alternatively, the participant may also choose to take broccoli, a pear, and milk for a reimbursable meal.

***As a reminder:** Adults Day Care Sponsors are not required to offer milk during the supper meal service.

If the menu planner offers combination foods or two or more food items from one food component, such as bread and rice, instructions or signs must be available to let supervisors and participants know what choices make up a reimbursable meal. The instructions and signs should let a participant know that they cannot select two of the same food items or components. For example, a participant could not select two pieces of toast and milk and have it count towards a reimbursable breakfast because only two different food items were selected. Additionally, a participant could not select two servings of chicken and one serving of rice and have it count towards a reimbursable lunch because only two components were selected.

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CHAPTER 22 VACANT

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CHAPTER 23 FORMS AND DOCUMENTS

Please see the [Oregon Department of Education, Child Nutrition Programs Child and Adult Care Food Program website](#) for current forms and documents. (See example below)

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Program Resources

 [CACFP Center Policy
Manual](#)

[Civil Rights](#)

[CNPweb](#)

[Farm to Pre-School](#)

[Forms and Documents](#)



[Handbooks & Regulations](#)

[Procurement Regulations](#)

[Reauthorization 2010](#)

[Reimbursement Rates](#)

[Special Dietary Needs](#)

[Special Grants](#)

[CNP Statistics](#)

CHAPTER 24 PRICING PROGRAMS

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Sponsors who plan to charge separately for meals (Pricing Program Sponsors) must comply with all CACFP requirements found in the *USDA CACFP Center Manual*, except those superseded by the specific requirements for Pricing Programs found in this chapter. There are significant additional requirements for record keeping and administrative oversight that need to be carefully considered by a CACFP sponsor that is contemplating operation under the Pricing Program regulations.

Section A - Overview

Pricing Programs, like non-pricing programs, receive CACFP reimbursement for meals and snacks based on the percentage of participants who are categorized as Free, Reduced-Price, or Above-Scale on the One Month Enrollment Roster. See [Chapter 4 The One Month Enrollment Roster](#) for more information on the percentage reimbursement method.

Charging for meals

A Pricing Program charges participants for meals unless the participant qualifies for Free meals. Participants not eligible for Free meals may be eligible for Reduced-Price meals. Pricing Program Sponsors may not charge participants eligible for Reduced-Price meals more than the following amounts specified by USDA:

- \$0.30 for Breakfast
- \$0.40 for Lunch or Supper
- \$0.15 for Snack

Sponsors may charge participants not eligible for Free or Reduced-Price meals the full price for meals and snacks.

Sponsors who operate Pricing Programs must have an approved [Pricing Program Policy Statement for Free and Reduced-Price Meals](#) (located on CNPweb packet page). The policy statement is submitted to ODE CNP for approval with the [CACFP State Agency-Sponsor Agreement](#) (located on CNPweb packet page) during initial application. It is resubmitted for approval each year with the annual renewal. Sponsors of pricing programs will use the ODE CNP template [Pricing Program Policy Statement for Free and Reduced-Price Meals](#) (located on CNPweb packet page). At a minimum, the *Pricing Program Policy Statement for Free and Reduced-Price Meals* must include:

- The name, title, and address of a designated hearings official (this person must be someone not involved in the original eligibility determination)
- The specific criteria to be used in determining a participant's eligibility for Free or Reduced-Price meals
- The method used to distribute and collect *Confidential Income Statements Centers—charging for meals (CIS)* forms and *Letters to Households—Pricing Centers*
- The method used to collect meal payments from Reduced-Price-eligible participants

that protects the anonymity of the participants' eligibility status

- An assurance that the institution has an appeal procedure when Pricing Program benefits are denied or terminated
- A description of the institution's hearing procedure
- An assurance of no overt identification of Free and Reduced-Price meal recipients
- An assurance of no discrimination based on protected classes as defined by USDA and the State of Oregon
- An assurance that the institution's Reduced-Price meal and snack fees will not exceed the USDA maximum allowed amounts for breakfast, lunch or supper, and snacks.

Section B - Determining Free and Reduced-Price Eligibility

Pricing Programs must distribute *CIS* forms together with the *Letter to Households—Pricing Centers* to all participants at the time of their enrollment. ODE CNP distributes current year versions of these forms and letters annually to Pricing Program Sponsors.

Participants who enroll and are determined eligible for Free or Reduced-Price meals must receive their meals free or at a reduced-price, as applicable. See [Chapter 3 Eligibility Determination](#) for more information on *CIS* forms and determining eligibility for Free or Reduced-Price meals.

In Pricing Programs, in addition to distributing the *CIS* and *Letter to Households—Pricing Centers* forms at the beginning of the Program year, participants who enroll after the October One Month Enrollment Roster (OMER) has been developed and submitted to ODE CNP must be given a *CIS* and *Letter to Households—Pricing Centers* form to complete. The completed *CIS* is submitted to the Pricing Program Sponsor who uses the information provided to determine the household's eligibility for Pricing Program benefits. The Sponsor must determine the enrollee's eligibility for Free or Reduced-Price meals and must notify the enrollee's household of the eligibility determination.

A [CACFP Child Enrollment Roster](#) or [CACFP Adult Enrollment Roster \(located on the Forms and Documents webpage\)](#) listing all enrolled participants and their eligibility categories (Free, Reduced-Price or Above-Scale) must be maintained for every month the Sponsor claims meals for reimbursement.

The Sponsor's unique reimbursement rate is based on the Free, Reduced-Price and Above-Scale percentages developed from the OMER submitted in October each year. The claiming percentages and unique reimbursement rate do not change when new participants enroll unless the Pricing Program is approved by ODE CNP to update the Center's OMER. If the Sponsor wants to request an OMER change due to a significant number of new enrollees, the Sponsor should submit a written request to their assigned Child Nutrition Specialist for approval along with a copy of the new OMER to validate the change in Free, Reduced Price and Above Scale totals.

Section C - Household Notification of Benefits Determination

Within 10 days of receipt of a completed *CIS*, Pricing Programs must notify the applicant's household, in writing, using the *Pricing Program Notification Letter* of the results of the eligibility determination. Whenever Free or Reduced-Price benefits are denied, the applicant's household must also be notified in the letter of their right to appeal the determination by including the ODE CNP-approved Pricing Program's hearing procedure with the *Pricing Program Notification Letter*.

When the Sponsor determines a participant is ineligible for Free or Reduced-Price benefits, the reason for ineligibility should be properly documented and retained on file.

When a household is denied benefits, the written notice must include:

- The reason for denial of benefits (for example, household income greater than [USDA Income Eligibility Guidelines \(located on the Forms and Documents webpage\)](#) or incomplete *CIS* submitted)
- Notification of the right to appeal
- Instructions on how to appeal
- The name, title, and address of the hearings official listed in the Sponsor's *Pricing Program Policy Statement for Free and Reduced-Price Meals*
- A reminder that parents/guardians or adult participants may reapply for Free or Reduced-Price benefits at any time during the year.

Section D - Appeal Procedure

A household that wishes to appeal the denial of Free or Reduced-Price meal benefits in a Pricing Program may do so under the hearing procedures as outlined in the Sponsor's *Pricing Program Policy Statement for Free and Reduced-Price Meals*. Prior to initiating the hearing procedure, the household may request a conference to discuss the situation, present information, and obtain an explanation of the information submitted or the decision rendered. The request for a conference may not prejudice or diminish the household's right to a fair hearing.

If a hearing is requested by a household denied Free or Reduced-Price benefits, the Sponsor must promptly schedule a fair hearing. The hearing must be scheduled with consideration for convenience to the household and adequate notice must be given to the household as to the time and place of the hearing.

Section E - Verification Procedure

Federal regulations require ODE CNP to conduct verification of eligibility for Free and Reduced-Price benefits in Pricing Programs once every four years. ODE CNP conducts verification of the income information provided on a sample of *CIS* approved for Free or Reduced-Price meal benefits in Pricing Programs.

The verification procedure is as follows:

1. ODE CNP contacts the Pricing Program Sponsor and requests a list of all participants who receive Free or Reduced-Price meals
2. ODE CNP selects a sample of the participants
3. The Sponsor submits to ODE CNP the addresses of the selected participants and copies of the participants' approved *CIS* forms
4. ODE CNP sends a letter to each of the selected participant households informing the household that they have been selected for verification and that they are required to submit verification information to confirm their eligibility for Free or Reduced-Price benefits by a deadline set by ODE CNP, in order to continue to receive Free or Reduced-Price meal benefits. The letter contains contact information for an ODE CNP Child Nutrition Specialist who can answer questions and assist the household in the verification effort, if assistance is needed.

The verification selection letter for Child Care Centers asks the household to submit:

- Social Security numbers of all adult members of the household and documentation showing the household income; or,
- Documentation that the child is a member of a currently certified SNAP, TANF household or receive FDPIR

The verification letter for Adult Day Care Centers asks the household to submit:

- Social security numbers of all adult members of the household and documentation showing the household income; or,
 - Documentation that the adult participant is a member of a currently certified SNAP or FDPIR household; or,
 - Documentation that the adult participant is currently certified to receive SSI or Medicaid benefits.
5. Once documentation is received from the household and reviewed, ODE CNP sends a letter to the household informing them of the verification outcome. The verification process results in one of two outcomes:
 - The household eligibility to receive Free or Reduced-Price meal benefits as approved by the Sponsor is verified and benefits will continue unchanged;
- or,
- Free or Reduced-Price benefits are denied or reduced based on documentation submitted by the household. If benefits are denied or reduced, the household is notified of their right to appeal the decision.
6. If the household refuses to cooperate with efforts to verify, ODE CNP will require the Pricing Program Sponsor to terminate Free or Reduced-Price eligibility. ODE CNP will send the uncooperative household a letter terminating Pricing Program benefits and

notifying the household of their right to appeal the decision.

7. ODE CNP sends a letter to the Sponsor summarizing the results of the verification process and listing eligibility changes to be made, if any.
8. If a household appeals the verification decision, the participant must continue to receive Free or Reduced-Price meal benefits during the appeal process up until the hearing official renders a final decision.
9. The decision of the hearing official is final. No other appeal recourse is available to participants.

Section F - Public Media Release Statement

Federal regulations require a public media release annually to local news media serving the area from which Pricing Programs draw their attendance. ODE CNP submits a statewide public release to the news media at the beginning of the fiscal year for all currently participating Pricing Program Sponsors.

Sponsors approved to operate a Pricing Program after October 1 (after ODE CNP has published its annual public news release) must submit a public media release to the local news media within their Center's attendance area.

The public media release must include:

- The current USDA Income Eligibility Guidelines
- The availability of Free or Reduced-Price meals to participants meeting the approved eligibility criteria
- The approved USDA non-discrimination statement
- *For Child Care Centers:* the media release must include a statement that participants who are members of households receiving SNAP, TANF or FDPIR are automatically eligible to receive Free meal benefits
- *For Adult Day Care Centers:* the media release must include a statement that adult participants who are members of SNAP or FDPIR households or who are receiving SSI or Medicaid benefits are automatically eligible to receive Free meal benefits.

Sponsors are not required to pay for publication of the release and there is no requirement for the media to publish the news release. Sponsors fulfill their responsibility by providing the news release to the media.

Pricing Program Sponsors who begin operations mid-year should document their compliance with the public media release requirement by keeping a copy of the news release submitted to the local media with date(s) sent and name(s) of media to whom it was mailed.

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