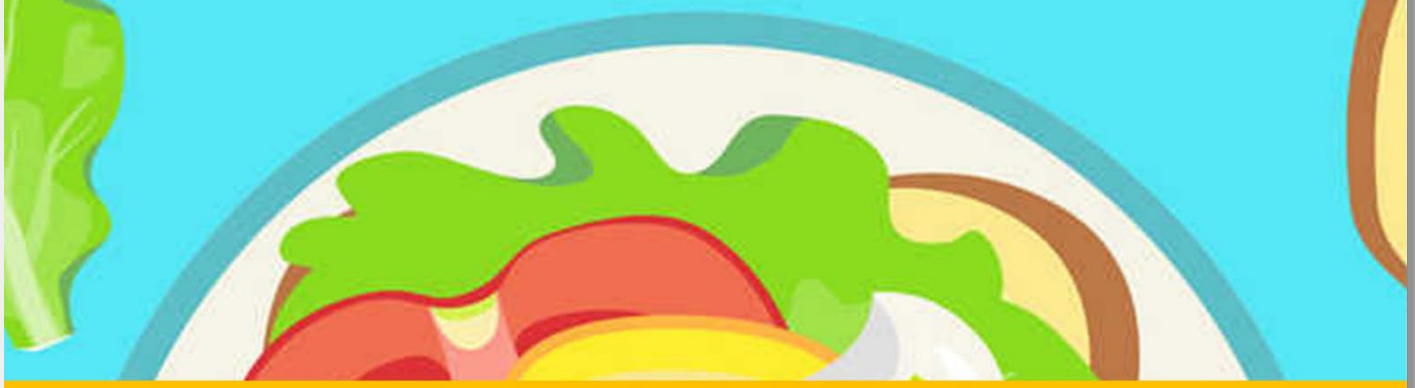
Evergreen Child Care, Inc.



CHILD CARE FOOD PROGRAM

Provider Manual

for Day Care Homes

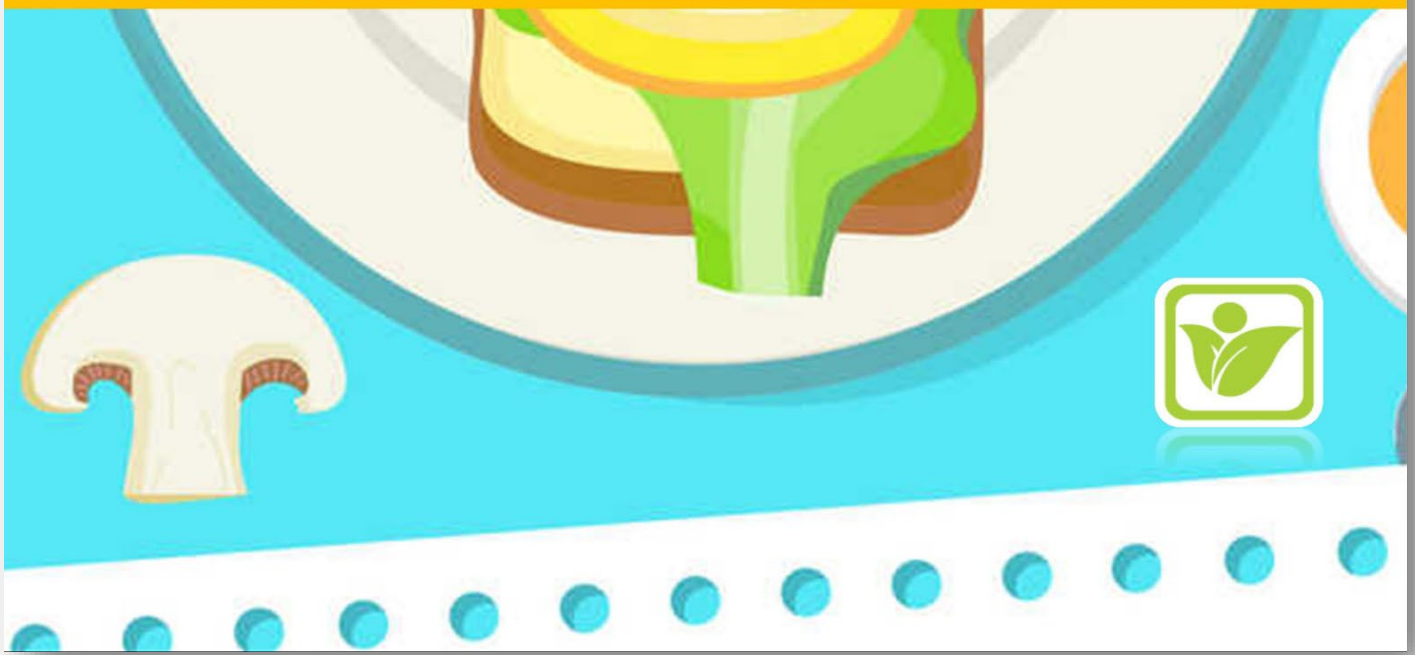


TABLE OF CONTENTS

I. PROGRAM DESCRIPTION

What is the Child and Adult Care Food Program?

The U.S. Congress originally established the **Child and Adult Care Food Program (CACFP)** in 1968 as the Child Care Food Program. The purpose of the CACFP is to provide aid to child and adult care institutions and family or group day care homes for the provision of nutritious foods that contribute to the wellness, healthy growth, and development of young children, and the health and wellness of older adults and chronically impaired disabled persons.

The Child and Adult Care Food Program is administered by the U. S. Department of Agriculture (USDA) and California Department of Social Services (CDSS) in California. Licensed child care home providers who meet certain requirements can receive reimbursement each month to help pay for the meals and snacks they serve to children in their care (**Children under 13 years or age**). As a day care home provider, the amount of reimbursement you receive is based on the location of your home, total household income, or the income of the parents you serve. Day care providers own children are eligible to participate if providers meet the income guidelines.

Disclaimer: Although this handbook is thorough in detail, it is impossible to cover every possibility that could occur. It is the provider's responsibility to contact Evergreen for any instances that are not noted in this handbook and to seek guidance in their individual situation.

II. REQUIREMENTS TO PARTICIPATE IN THE CHILD AND ADULT CARE FOOD PROGRAM

1. Be licensed by the State of California.
2. Have at least one child enrolled in the day care.
3. Not currently participating in another nutrition program and not listed in the national CACFP disqualification list.
4. Show proof of most recent license renewal payment (if applicable). Provider can submit one of the following copies:

    - Online payment receipt
    - Copy of cancelled check (font and back image)
    - Original check copy and corresponding bank statement
    - Copy of money order
    - Copy of profile (Providers can request a copy of their profile from licensing)

III. ENROLLMENT APPLICATIONS

Enrollment applications are completed online through the web-based software program known as **KidKare** from Minute Menu Systems (further instructions will be discussed further in this manual).

Providers must offer the food program to all children in their care. If a child's parents do not wish to have their child participate in the CACFP, a completed enrollment is still required.

NON-PARTICIPATING CHILDREN- For **non-participating children,** provider will need to uncheck the "Participating in CACFP" box located in part 1 of the enrollment application.

HOW TO ENROLL CHILDREN TO THE FOOD PROGRAM- In your assigned KidKare account **type & complete** all required fields under **HOME>MY KIDS>ADD CHILD**. ***Enrollment information cannot be finalized or saved properly if any required field is incomplete.***

The written date in which the parent signs the enrollment application is when the child's meals will begin to be subject for reimbursement.

Enrollment Date/ Parents' Signature

Providers can start claiming meals for children **only after receiving a completed enrollment form, signed and dated by parents.** Failure to have a completed enrollment application can be used as grounds to determine the provider as serious deficient.

Enrollments must be completed prior to the child's first day in care.

The date in which the parent signs the enrollment application is when the child's meals will begin to be subject for reimbursement.

If enrollment forms have not been completed and signed by the parents at the time of the monitoring visit, meals for those children will be disallowed.

All completed enrollment applications must be submitted to ECCI within 5 calendar days from the parent/guardian signature date.

ENROLLMENT DUE DATE- All completed enrollment applications must be submitted to ECCI **within 5 calendar days** from the parent/guardian signature date. If for any reasons, enrollments are submitted after 5 days, that child will be eligible for the food program as of the date that ECCI receives the enrollment form.

ENROLLMENT COPIES- Provider must retain the copy of each child's enrollment form and enrollment renewal form on site. These records must be kept for three program years, plus the current year. ECCI monitors will ask to see your enrollment copies.

UPDATING ENROLLMENT APPLICATIONS- If there is a change on hours in care, days and meal types in care, the existing enrollment application needs to be updated.

To update a child's enrollment, **print the child's existing enrollment application on KidKare** and use a **RED** pen to update the information. Ensure to obtain the parent/guardian signature, date the enrollment, and submit the updated enrollment form to ECCI within 5 calendar days from the signature date.

Former children returning to your day care- If a child that was deleted from your KidKare account returns, provider must contact ECCI to reactivate the child and put their status as "pending". Parent/guardian of the returning child must sign and date the enrollment. If changes need to be made, use a rep pen to do so.

WITHDRAWING CHILDREN FROM THE FOOD PROGRAM- Provider can withdraw a child from KidKare under the My Kids tab. Ensure to assign the date when the child has been withdrawn from care.

Providers' own and/or foster children- Provider must submit a "Meal Benefit Form" and provider's household income needs to be qualified to claim own child. Upon eligibility, providers can only claim meals for their own/foster children (who are 12 years & under) when other enrolled daycare children are in care eating the same meal at the same time. **Provider's Meal Benefit Form must be renewed annually in the month of August.**

Provider's own foster children- Provider's foster children are automatically eligible for participation in the CACFP, yet a Meal Benefit Form is still required. Be advised, **one application per foster child** is required. Ensure to write YES the foster care box. The household income is not required for foster children's Meal Benefit Forms, therefore sections 2 and 3 are to be left blank.

If a provider wants their own and/or foster child to participate in the food program, provider must submit a "Meal Benefit Form" and provider's household income needs to be qualified to claim own child.

The Meal Benefit Form is available at www.evergreencacfp.org under the **FORMS** tab. Detailed instructions are included in the meal benefit form.

Enrollment Application Renewal

Providers are required to renew their enrolled day care children every year in September through the Enrollment Renewal Report generated by ECCI. This report will include the information of each child enrolled in your day care and must be certified (requires signature, date of signature, and enrollment information update if needed) by each child's parent or guardian in order for Evergreen to renew your daycare children's enrollment as of October 1st of every year. If providers fail to submit the Enrollment Renewal Report by the due date, the child(ren) will not be eligible for meal reimbursement until the completed Enrollment Renewal Report is submitted to ECCI.

Parent's Survey

ECCI reserves the right to call the parents of those children participating in the food program to verify the child's enrollment. If parent contact numbers are not valid, meal claims may not be reimbursable for that child until all information has been updated. It is provider's responsibility to notify ECCI of any changes related to the information on enrollment application. ECCI may also conduct parent surveys via mail to parents/guardians of children who are enrolled in the food program (Providers will be randomly chosen for the parent surveys).

IV. REQUIRED MEAL COMPONENTS (CHILDREN 1 AND OVER)

1. Vegetables and Fruits
2. Grains
3. Meat and Meat Alternates
4. Milk

*Water (Must always be available. Non-reimbursable component)

Vegetables and Fruits

Vegetables and fruits are considered two separate categories in all creditable meals. Breakfast requires either a vegetable or a fruit. Snack may include a vegetable and a fruit, but not two servings of vegetables or two servings of fruits only. Lunch and dinner require a vegetable and a fruit, or two different vegetables, to be reimbursable. A variety of whole, fresh vegetables and fruits are encouraged. Fresh, frozen, jarred, and canned vegetables and fruits are creditable as long as they meet minimum serving size requirements (Please refer to the CACFP meal pattern requirement).

Vegetables or fruits served as a combination item (e.g., fruit cocktail, succotash, peas and carrots, mixed vegetables, and vegetables used in soups or stews) may be credited to meet only one of the two required items for lunch and supper.

Beans and legume vegetables may be counted as either a meat alternate or as legume vegetable but not as both simultaneously. This includes roasted beans such as roasted chickpeas (garbanzo beans).

Fruit juice or vegetable juice may only be used to meet the vegetable or fruit requirement at one meal or snack per day.

Any liquid or frozen product labeled “juice,” “full-strength juice,” “single-strength juice,” “100 percent juice” or “reconstituted juice” is considered full-strength juice. To be used in meeting a part of the vegetable requirement, the product must be 100% full-strength juice.

- In CACFP, full-strength juice may be used to meet the vegetable component or fruit component no more than once per day.

Full-strength vegetable juice may be used as one component of a snack when the other component is not fluid milk.

The following products do not contribute to the vegetable component in any meal served under the Child Nutrition Programs:

- Snack-type foods made from vegetables such as potato chips, or banana chips;
- Pickle relish, jam, or jelly;
- Tomato catsup and chili sauce; (tomato paste in chili is creditable);
- Home canned products (for food safety reasons); or
- Dehydrated vegetables used for seasoning.

Fruits that are fresh, frozen, dried, canned (packed in water, full-strength juice, or light syrup) and full-strength fruit juice may contribute toward the fruit requirement.

To help meet nutritional standards and the Dietary Guidelines for Americans, the fruit requirements are based on the following recommendations:

Include a variety of fruits each week;

- Serve a variety of fruit choices, as each fruit differs in nutrient content.
- At least half of the recommended amount of fruits should come from whole fruits.
- Fruit juice is lower than whole fruit in dietary fiber and when consumed in excess can contribute extra calories.
- Select fruits with more potassium often, such as bananas, prunes and prune juice, dried peaches and apricots, cantaloupe, honeydew, melon, and orange juice.
- When choosing canned fruits, select fruit canned in 100% fruit juice or water rather than syrup.
- Keep saturated fat and added sugars low when preparing fruit dishes.

The following products do not contribute to the fruit component and may not be credited toward meeting the fruit requirement in any meal served under the Child Nutrition Programs:

- Snack-type foods made from fruits such as fruit strips, fruit drops, or fried banana chips.
- Pickle relish, jam, or jelly; or
- Home canned products (for food safety reasons).

Grains

The following types of ingredients are considered creditable grains in Child Nutrition Programs:

- Whole grains (i.e. whole wheat, whole wheat meal/flour, brown rice, rolled oats)
- Enriched grains (i.e. enriched wheat meal/flour, enriched rice)

Foods that contribute to the grains requirement in all Child Nutrition Programs include the following items when made from above specified ingredients, but are not limited to: ***Breads, biscuits, bagels, rolls, tortillas, crackers, cereal grains (cooked) such as rice, bulgur, oatmeal, corn grits, wheat berries or couscous.*** Must be made from grains that are enriched, whole grain, or meet the whole grain-rich criteria: a blend of whole-grain meal and/or flour and enriched meal and/or flour of which at least 50 percent is whole grain with remaining grains, if any, being enriched.

Ready-to-eat (RTE) breakfast cereals

- Must be fortified, enriched, or list a whole grain as the primary ingredient. If the product includes enriched ingredients, or the product itself is enriched, the ingredients or the product must meet the Food and Drug Administration's standards of identify for enrichment.
- All breakfast cereals served in the CACFP must contain no more than 6 grams of sugar per dry ounce.

Macaroni, pasta, noodle products (cooked)

- Must be made from grains that are enriched, whole grain, or that meet the whole grain-rich criteria: made from a blend of whole-grain meal and/or flour and enriched meal and/or flour of which at least 50 percent is whole grain with remaining grains, if any, being enriched.
- CACFP regulations allow enriched macaroni products that have been fortified with protein to be counted to toward the grains requirement only.
- Pasta products made with bean flours do not count toward the grain requirements.

Whole Grain-Rich

In CACFP, at least one serving of grains per day must be whole grain-rich. Foods that meet the whole grain-rich criteria are foods that contain 100 percent whole grains, or that contain at least 50 percent whole grains and the remaining grains in the food are enriched. This whole grain-rich requirement only applies to meals served to children and adults; it does not apply to infant meals.

There are four simple 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.

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). Please see the next section Non-Creditable Grains for more information about the 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 in the CACFP, only. The FDA whole grain health claims are not sufficient documentation to demonstrate a grain is whole grain-rich in the School Meal Programs.

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, the primary ingredient by weight may be 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 ingredients. For example, bread may be made with three grain ingredients: enriched wheat flour (40 percent of grain weight), whole-wheat flour (30 percent of grain weight) and whole oats (30 percent of grain weight). The combined weight of the two whole-grain ingredients (whole wheat and whole oats at 60 percent) is greater than the enriched wheat flour (at 40 percent), even though the enriched wheat flour is listed first on the ingredient list. This bread could meet the whole grain-rich criteria with proper documentation from the manufacturer or a standardized recipe, for foods prepared by a CACFP center or day care home.

Breakfast Cereals

Breakfast cereals served to infants, children, and adults must contain no more than 6 grams of sugar per dry ounce (21.2 grams of sugar per 100 grams of dry cereal). Breakfast cereals include ready-to-eat cereals and instant and hot cereals. As a reminder, only iron-fortified infant cereals and ready-to-eat cereals are reimbursable in the infant meal pattern. All breakfast cereals are reimbursable for the child and adult meal patterns. Breakfast cereals must meet the sugar limit and be whole grain-rich, enriched, or fortified to be creditable in the CACFP. Please refer to ECCI's Breakfast Cereal List which is available on ECCI website under the Policies and Regulations tab.

Grain-Based Desserts

Sweet crackers (e.g., graham and animal crackers) are only allowed to be served during snacks (limit of 2 times per week).

Day care homes may want to occasionally serve grain-based desserts, such as for celebrations or other special occasions. As a reminder, centers and day care homes continue to have the flexibility to serve grain-based desserts as an additional food item that does not contribute to the meal components required for reimbursement.

Meat and Meat Alternates (M/MA)

Meats and meat alternates (M/MA) include meat, poultry, fish, cheese, yogurt, dry beans and peas, whole eggs, alternate protein products, soy yogurt, tofu, peanut butter or other nut or seed butters, and nuts and seeds. Child Nutrition Program operators must serve meals that contain the amount of M/MA required in the lunch and supper Meal Pattern Charts. Serving sizes on the Meal Pattern Chart are cooked amounts.

A meat or meat alternate may be used to meet the entire grains component at breakfast no more than three times per week. Tofu and soy yogurts may be used to meet the meat/meat alternate component at any meal or snack.

Nuts and seeds may fulfill no more than one-half of the meat/meat alternate requirement for lunch, supper and breakfast. You also should be aware of potential food intolerances or allergies with some populations. In such circumstances, you should make appropriate accommodations under the medical substitution requirement. Soy nuts may be used as a meat/meat alternate but not as a vegetable. Nuts and seeds should be served to 2- to 3-year-olds and some elderly participants with caution as they may cause choking. Always supervise participants during meals and snacks.

As a general guidelines, commercial, frozen and fast foods including pizza, restaurant food, boxed macaroni and cheese, frozen supermarket raviolis, taquitos, mini-quiches etc. may not be creditable because the meat quantities do not provide sufficient protein per serving size. Homemade items are creditable if they meet the minimum quantities and should be marked as such ("HM").

Alternate Protein Products (APPs) [formerly Vegetable Protein Products] are processed from soy or other vegetable protein sources and may be in a dehydrated granule, particle, or flake form. They are generally used as part of a formed meat patty or in a vegetarian patty, resembling a meat product. Meat/meat alternate products with APPs are currently being used successfully in large Child Nutrition Programs when a CN Label or product formulation statement is present. Before using products containing APPs, contact your State agency for information and assistance on the service and crediting of these products.

Main dish products which contribute to the meat/meat alternate component of the meal pattern requirements. Examples of these products include but are not limited to beef patties, cheese or meat pizzas, meat or cheese and bean burritos, egg rolls, and breaded fish portions.

Commercially processed meat and fish products (such as chicken nuggets, fish sticks, corndogs, egg rolls, potpies, etc.) may be counted as meal components only if they have the Child Nutrition Label. The Child Nutrition (CN) Labeling Program is operated by the USDA's Food and Nutrition Service (FNS) directly with commercial food processing firms. Manufacturers may choose to put these labels on a food product indicating the contribution that product makes toward meal pattern requirements in the Child Care Food Program. Processed meat and fish products which contribute to the meat/meat alternate component of the meal pattern requirements are eligible for CN Labels. For example, the label will state exactly how much meat is on each nugget and how many nuggets must be served to each child. Products without the CN Label may not be counted towards the meal pattern.

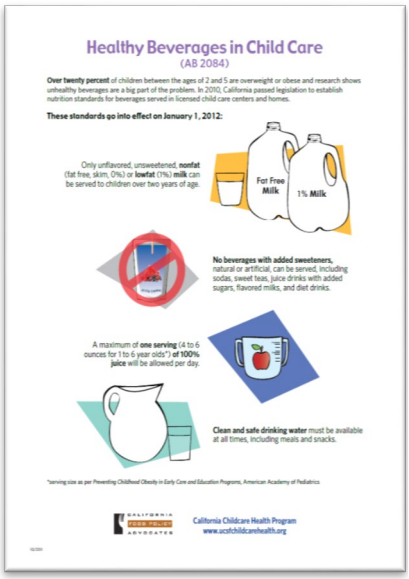
** Please see our updated Evergreen's Approved Processed Foods & Commercial Combination Food Products

Milk

Regulations for Child Nutrition Programs require that fluid milk be offered at each breakfast, lunch, or supper (dinner) meal service. The fluid milk may be served as a beverage, on cereal, or both; however, in a lunch or a supper meal, the fluid milk must be served as a beverage. Program operators have the option to serve fluid milk as one of the two components of a snack served in the Child and Adult Care Food Program (CACFP).

Fluid milk means pasteurized unflavored or flavored milk, whole milk, reduced fat milk (2%), low fat (1%), lactose free milk, lactose reduced milk, buttermilk, and acidified milk, all of which meet State and local standards for such milk. The milk must contain vitamins A and D at levels specified by the U.S. Food and Drug Administration, and must be consistent with State and local standards.

Healthy Beverages in Child Care (AB2084): In 2010, **California** passed legislation to establish nutrition standards for beverages served in licensed child care centers and homes. Including banning **flavored milk** in all licensed child care facilities.



https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2084

Children unable to drink cow's milk

If a child is unable to drink cow's milk due to a medical or other special dietary need that is not considered a disability, their parent may request a non-dairy milk substitute, nutritionally equivalent to milk. The parent must complete our "Milk Substitute" form, choosing a creditable milk substitute (Milk substitution form can be found in ECCI website under the "forms" tab), in order for the child's meals to be reimbursed. Children with a disability that require food substitutions will need a signed medical statement from a medical authority (physician or physician's assistant) in order for that child's meals to be reimbursed. Contact Evergreen for more information.

- Milk served to one-year olds must be unflavored whole milk.
- A one-month transition period is allowed for children 24 months to 25 months old. They may have whole or reduced fat (2%) milk as they transition to low-fat (1%) or fat-free (skim) milk.
- Flavored milk, including flavored non-dairy beverages, cannot be served to children 1 through 5 years old.

- Fat-free flavored milk and flavored non-dairy beverages can be served to children 6 years and older, as well as adult participants. However, in **California** flavored milk if not allowed to be served in licensed child care centers and homes.

Transition Month

Milk served to one year olds must be unflavored whole milk. USDA recognizes that switching immediately from whole milk to low-fat or fat-free milk when a child turns two years old may be challenging. Therefore, USDA is allowing a one-month transition period. This means that meals served to children 24 months to 25 months old containing whole milk or a mixture of milks may be claimed for reimbursement.

Non-Dairy Beverages

Participants who cannot consume cow's milk for a medical reason or life-style choice may be served a non-dairy beverage that is nutritionally equivalent to milk.

- When served for life-style choice, the parent/guardian or the adult participant (or a person on-behalf of the adult participant) must provide a written request for serving the non-dairy beverage; a medical statement is not required.
- Non-dairy beverages that are not nutritionally equivalent to cow's milk are only reimbursable when a medical statement is on file.
- Programs may claim the meal for reimbursement when either the Program or a parent/guardian or adult participant supplies a non-dairy beverage nutritionally equivalent to cow's milk.
- Non-dairy beverages served to children 1 through 5 years old must be unflavored.

*Non-dairy milk that is nutritionally equivalent to milk:

- **8th Continent Soy Milk (Original)**

See link for the Fluid Milk Substitution Nutrient Requirements

https://www.cde.ca.gov/ls/nu/cc/cacfpmilksubreq.asp

Water Availability

Throughout the day, including at meal times, water should be made available to children to drink upon their request, but it does not have to be available for children to self-serve. Although drinking water must be made available to children during meal times, it is not part of the reimbursable meal and may not be served instead of fluid milk. Make sure providers do not serve young children too much water before and during meal times because it can reduce the amount of food and milk consumed by the children. If drinking water is not available to children, this would result in a finding.

V. REQUIRED MEAL COMPONENTS FOR INFANTS (0-11 MONTHS)

- Formula/Breast Milk
- Vegetables and/or Fruits
- Grains
- Meat and Meat Alternates

CACFP defines an infant as a child up to their first birthday. Infants enrolled for care at a participating CACFP center or day care home must be offered a meal that complies with the CACFP infant meal pattern requirements. CACFP 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". A day care home 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 infant is enrolled for care in a participating CACFP center or day care home, not if the infant is enrolled in the CACFP. Infants do not eat on a strict meal schedule. Instead, infants must be fed during a span of time that is consistent with the infant's eating habits. Infant meals must not be disallowed due solely to the fact that they are not served within the center or day care home's established meal time periods.

Creditable Infant Formulas

As part of offering a meal that is compliant with the CACFP infant meal pattern requirements, day care homes with infants in their care must offer at least one type of iron-fortified infant formula.

The Food and Drug Administration (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**". The number of milligrams (mg) of iron per 100 kilocalories (calories) of formula can be found on the Nutrition Facts label of infant formulas.

CACFP requires participating providers offer meals to infants in care if the child is present during the meals service period. A provider must offer at least one iron-fortified infant formula that would satisfy the needs of one or more of the infants in care (Parent's Choice is the most economical). An infant's parent or guardian may decline the formula or food being offered and supply some or all of the infant's meal components instead. If parent supplies all the meal components, meals are not subject for reimbursement.

The formula determination must be documented on the enrollment form by the parent or guardian. CACFP requires that both the provider and the CACFP sponsor have an enrollment form on file for all infants.

The following criteria may be used to determine whether a formula is eligible for reimbursement:

1. Ensure that the formula is not an FDA Exempt Infant Formula. An exempt infant formula is an infant formula labeled for use by infants who have inborn errors of metabolism or low birth weight, or who otherwise have unusual medical or dietary problems. More information and a list of FDA Exempt Infant Formulas can be found at: http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformati on/InfantFormula/ucm106456.htm.

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. 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.

Parent or guardian provided breastmilk or formula

An infant’s parent or guardian may, at their discretion, decline the infant formula offered by the day care home and provide expressed breastmilk or a creditable infant formula instead. Meals containing parent or guardian provided expressed breastmilk or creditable infant formula that are served to the infant by the child care provider are eligible for reimbursement, including meals when an infant is only consuming breastmilk or infant formula. Additionally, in recognition of the numerous benefits of breastfeeding, and the breastmilk as being the optimal source of nutrients through the first year of life, day care homes may claim reimbursement of meals when a mother directly breastfeeds her infant at the day care home. This includes meals when an infant is only consuming breastmilk. Therefore, meals when a mother directly breastfeeds her infant on-site are eligible for reimbursement.

While centers and day care homes must maintain menus to show what foods an infant is served, there is no Federal requirement to document the delivery method for breastmilk (e.g., if it was served in a bottle by the day care provider or if the mother breastfed on-site). A center or day care home may simply indicate on the menu that the infant was offered breastmilk. Additionally, day care homes do not need to record the amount of breastmilk a mother directly breastfeeds her infant

When a parent or guardian chooses to provide breastmilk (expressed breastmilk or by directly breastfeeding on-site) or a creditable infant formula and the infant is consuming solid foods, the center or day care home must supply all the other required food components in order for the meal to be reimbursable

Expressed Breastmilk Storage

American Academy of Pediatrics (AAP) recommends an optimal storage time of **72 hours for refrigerated expressed breastmilk** (may be stored at the day care home in a refrigerator for up to 72 hours from the date the breastmilk was expressed). Bottles of expressed breastmilk must be stored in a refrigerator kept at 40o Fahrenheit (4.4o Celsius) or below.

SOLID FOODS (COMPLEMENTARY FOODS)

The CACFP infant meal pattern includes two infant age groups: birth through the end of 5 months and the beginning of 6 months through the end of 11 months. These infant age groups are consistent with the infant age groups in the WIC program. In addition, the infant age groups will help delay the introduction of solid foods until around 6 months of age. It is important to delay the introduction of solid foods until around 6 months of age because most infants are typically not physiologically developed to consume solid foods until midway through the first year of life. According to the American Academy of Pediatrics (AAP), 6 to 8 months of age is often referred to as a critical window for initiating the introduction of solid foods to infants.

In addition, by 7 to 8 months of age, infants should be consuming solid foods from all food groups (vegetables, fruits, grains, protein foods, and dairy).

Solid foods must be served to infants around 6 months of age, as it is developmentally appropriate for each individual infant. **Once an infant is developmentally ready to accept solid foods, the center or day care home is required to offer them to the infant**. Food Nutrition Services (FNS) recognizes, though, that solid foods are introduced gradually, new foods may be introduced one at a time over the course of a few days, and an infant's eating patterns may change. For example, an infant may eat a cracker one week and not the next week. Day care homes must follow the eating habits of infants. Meals should not be disallowed simply because one food was offered one day and not the next if that is consistent with the infant's eating habits. In addition, 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.

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 and infants develop at different rates. Centers and day care homes should be in constant communication with infants' parents or guardians about when and what solid foods to serve while the infant is in care. As a best practice, Evergreen recommends that parents or guardians request in writing when a center or day care home 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 birth 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 and day care homes 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.

Vegetables and Fruits

The primary goal of updating the CACFP meal patterns was to help children establish healthy eating patterns at an early age. Offering a variety of nutrient dense foods, including vegetables and fruits (cooked, mashed, pureed, or small diced as needed to obtain the appropriate texture and consistency), can help promote good nutritional status in infants. Additionally, the AAP recommends infants consume more vegetables and fruits. Vegetables and fruits are already required at breakfast, lunch, and supper meals for infants that are developmentally ready to accept them (around 6 months of age). To further help increase infants exposure and consumption of vegetables and fruits, the updated meal patterns requires vegetables and/or fruits be served at snack for infants that are developmentally ready to accept them. In addition, juice can no longer be served as part of a reimbursable meal for infants of any age under the updated meal patterns.

Grains

To provide greater flexibility to the menu planner, the updated infant meal pattern allows ready to-eat cereals to be served at snack for infants that are developmentally ready to accept them. All ready-to-eat cereals served to infants must meet the same sugar limit as breakfast cereals served to children and adults in the CACFP. This means, ready-to-eat cereals served to infants at snack must contain no more than 6 grams of sugar per dry ounce. As a reminder, ready-to-eat cereals must also be whole grain-rich, enriched, or fortified in order to be creditable in the CACFP. For more information on the breakfast cereal sugar limit and creditable grains, please see ECCI Website under "Polices and Regulations" tab.

Meat and Meat Alternates

Meat and meat alternates are good sources of protein and provide essential nutrients for growing infants, such as iron and zinc. FNS acknowledges that yogurt is often served to infants as they are developmentally ready. In recognition of this, the updated infant meal pattern allows yogurt as a meat alternate for older infants who are developmentally ready to accept them. All yogurts served in the CACFP, including those served to infants, must contain no more than 23 grams of sugar per 6 ounces. In addition, the updated infant meal pattern no longer allows cheese food or cheese spread as creditable meat alternates. This is due to their higher sodium content, and the AAP recommends caregivers choose products lower in sodium. Regular cheese, however, is still creditable.

The updated infant meal patterns allow whole eggs as meat alternates. Previously, only egg yolks were creditable in the infant meal pattern because there were concerns with developing food allergies when infants are exposed to the protein in the egg white. However, the AAP recently concluded that there is no convincing evidence to delay the introduction of foods that are considered major food allergens, such as eggs.

VI. MENU PLANNING & KEY REMINDERS

MAJOR HOLIDAYS- Following major holidays are not eligible for meal reimbursement.

New Year's Day	**Memorial Day**	**Veterans Day**
Martin Luther King Jr. Day	**Independence Day**	**Thanksgiving Day**
Presidents' Day	**Labor Day**	**Christmas Day**

Meal Pattern Charts

Please print and always display the CACFP Meal Pattern Charts in your kitchen, as they inform you of the required serving size for the required food components. ECCI monitors will check to see that the meal patterns are available during monitoring visits.

Links to meal patterns:

Meal pattern for children 1 year and older-
http://evergreencacfp.org/uploads/1507155693cacfp_childmealpattern.pdf

Meal pattern for infants 0-11months-
http://evergreencacfp.org/uploads/1507155815cacfp_infantmealpattern.pdf

Food buying guide for child nutrition programs (see link below) - The Food Buying Guide for Child Nutrition Programs has all of the current information in one manual to help you and your purchasing agent:

- Buy the right amount of food and the appropriate type of food for your program(s)
- Determine the specific contribution each food makes toward the meal pattern requirements.

https://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs

Meal Service Styles

The two meal service styles that can be used in CACFP are pre-portioned and family style.

1. Preportioned means that the minimal requirement (or more) of food for each required component is prepared by an adult and given to each child on a plate or tray.

2. Family style meal service means that the food is placed on each table for each child to help him/herself. Children may then select the foods they want and the amount of each food they want. During your review, you must ensure that minimum portions (or more) of each required component for all children are available for the children at the table. During the meal, it is the responsibility of the provider to encourage each child to accept the full required portion for each food component of the meal pattern. For example, if a child does not want a food component, or does not want the full

required portion of a meal component, the provider should offer the food component to the child again. If minimum portions are not available to each child, the meals would be disallowed.

Sanitation and safety- Keep the day care safe and clean. Provider must use appropriate serve ware when serving meals to children at all times (do not put the food directly on the table regardless how clean your table is). Please educate children to be seated during meal services.

Menu planning

Providers need to maintain sufficient amount of required food components to serve children at the daycare at all times.

All required components must be served **at the same time.**

You will be claiming your meals on KidKare.com, from Minute Menu Systems (free of charge for our providers). Please see Evergreen's KidKare Guide, available in Evergreen's website under the Policies and Regulations tab (www.evergreencacfp.org)

Menus must be preplanned **at least 2 hours prior** to the next mealtime.

Any changes to the menu must be made at least 2 hours prior to the meal service.

ECCI recommends planning your menu a week in advance.

Any changes to the menu must be made at least **2 hours prior** to the meal service.

Serving identical menu items within the same week for children over 1 year of age is not creditable (Ex. Serving MILK, BANANA, and TOAST on March 21st for breakfast and serving exact same menu on March 22nd; Breakfast for March 22nd will be disallowed).

Any food items provided by parents and/or any meals sent with children to school or other locations including field trips are not reimbursable.

Corn Chips, Cakes, puddings, pepperoni, and spam, are not creditable in the CACFP.

Deep fat-frying is not allowed as a way of preparing foods on-site. Providers are welcome to sauté food in small amounts of oil.

Tortilla names, processed foods manufacturer name and/or homemade must be indicated in the menu comment section.

Approved processed foods and tortilla list are available in ECCI's website under the Policies and Regulations tab- http://evergreencacfp.org/policies. CN labels are explained in processed foods list.

If you find a new creditable processed food item, ensure to provide ECCI with a copy of the Child Nutrition (CN) label along with the manufacturer's name.

Non-Infant Menu Requirements
(Children over the age of 1)

THREE components are required for **BREAKFAST**. The three components are:

1. Bread/Bread alternate (Grains) **OR** Meat/Meat Alternate (Note: Meat cannot be served more than 3 times per week during breakfast)
2. Fruit, vegetable or juice
3. Milk

At least **TWO** components are required for **AM SNACK & PM SNACK**.

FIVE components are required for **LUNCH AND DINNER**. The five components are:

1. Meat/Meal Alternate
2. Bread/Bread Alternate (Grains)
3. Vegetable
4. Fruit or Vegetable
5. Milk

Fruits/Vegetables

MUST serve a fruit and vegetable OR two vegetables for all major meals, but NOT 2 fruits.

For snacks: a fruit and vegetable can be served as a complete AM or PM snack.

Juices count towards the fruit/vegetable component.

Juice- You can only serve 100% juice **once a day** (per whole day menu). It does not matter if different children are being served different meals, it is per daily menu, not per child.

All juices served must be 100% juice **not** 100% vitamin C.

Homemade juices must be made with fruits and 100% juices to be reimbursable. If water and/or other type of liquids are used to blend the fruits, it is not 100% fruit juice!!

Bread/Bread Alternate (Grains)

All breads or alternate must be made of enriched flour or whole grain.

Crackers count as a bread alternate and do not have a limit to how many times per day or week they can be served (unlike sweet crackers).

Sweet crackers such as animal crackers, graham crackers are creditable. However, sweet crackers may not be claimed more than **2 times per week**.

Grain based desserts are NOT creditable in the CACFP. What are grain-based desserts? Grain-based desserts include, but are not limited to:

- Cookies
- Brownies
- Doughnuts
- Pastries
- Granola bars
- Cereal/ breakfast sweet bars
- Sweet rolls
- Pop tarts
- Sweet pie crust

All breads or alternates must be made of **enriched flour** or **whole grain**.

Please be advised, although grain-based desserts are not subject for reimbursement, you may still serve them, but not claim them. However, keep in mind that these regulations are for the wellbeing of the children.

Whole Grain Requirement

Providers must claim at least **one serving of** whole grain-rich per day.

Examples of whole grain-rich products:

- Whole-grain cereal
- Whole-grain corn tortilla
- Whole wheat bread
- Whole wheat pasta
- Whole oats/Oatmeal
- Brown rice
- Whole rye
- Whole-grain barley
- Wild rice
- Buckwheat
- Triticale
- Bulgur (cracked wheat)
- Millet
- Quinoa
- Sorghum
- 100% whole wheat flour

Providers must claim at least one serving of whole grain-rich per day.

Please be advised, if you do not serve at least one whole-grain rich product on your menu per day, you will automatically be disallowed a meal for that day.

In order to receive credit, providers must do the following:

Providers claiming KidKare: Ensure to click "yes" on the question "Is this a whole-grain rich product?" on the particular menu you which you will be serving the whole-grain rich product. Also, in the event that the button is not working in your account, you MAY indicate on the comment section which meal has a whole-grain rich product.

Providers claiming on scannable forms: On top of the breakfast menu, there is a section for you to bubble at which meal you served a wholegrain. Please specify the 1st ingredient of ALL your whole grain products on your menus. You may abbreviate your 1st ingredient of your grains as WG for Whole Grain and WGC for Whole Grain Corn.

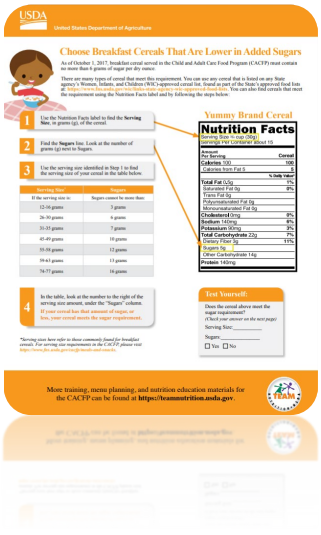
Corn Tortillas (are bread alternates)

Corn tortillas must be made and labeled as either "whole" corn or "Enriched" corn under the first ingredient to receive reimbursement. Even if the bag shows 100% corn does not mean it's labeled as whole corn. Always check the first ingredient before purchasing the item to see if it's creditable. Must indicate and/or update its manufacturer's name and the first ingredient on menu comment section to receive reimbursement.

Breakfast Cereal (are bread alternates)

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

Write the names of cereals, cookies, and crackers on the menu under comment section if you cannot find the brand under food list. (e.g. Cheerios, Kix, E.F Chips Ahoy chocolate chip cookie, Graham Crackers, etc.)

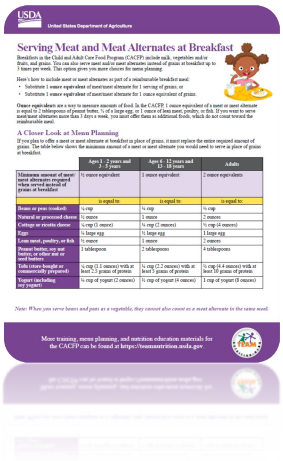


Cereal Guide- USDA's Team Nutrition created an easy to use Cereal Guide to help you determine if the cereal you want to use is creditable. Please see our website under the Policies and Regulations tab to access the guide: http://evergreencacfp.org/policies

Meat/Meat Alternates (M/MA)

Meat alternates include, but are not limited to: Beans, lentils, eggs, cheese, peanut butter, tofu, and yogurt.

M/MA limit during breakfast: Meat/Meat alternates may be served **in place of the entire grains component at breakfast** for a maximum of three (3) times per week.



Meat/Meat Alternates during Breakfast- USDA's Team Nutrition created an easy to use Meat/Meat Alternate for Breakfast Guide to help you understand the limitation of M/MA for breakfast. Please see our website under the Policies and Regulations tab to access the guide: http://evergreencacfp.org/policies

Tofu- Tofu is creditable and may be counted as a meat alternate.

- Tofu must be easily recognized as a meat substitute.
- Tofu is not creditable for infant's ages 0-11 months.
- Tofu must meet protein requirement: at least 5 grams per 2.2 ounces by weight.

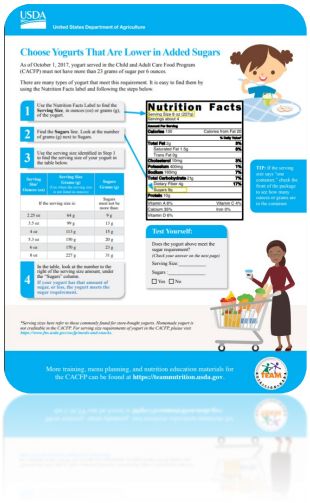
Non-creditable Tofu:

- Tofu in smoothies
- Tofu used to add texture or enhance nutrients in foods.
- Tofu noodles (not easily recognized as meat substitute).
- Homemade Tofu (non-commercial, non-standardized tofu and soy products).

Yogurt -Yogurt may be counted as a meat alternate. Yogurt must contain no more than 23 grams of sugar per
6 ounces.

Sugars/serving size = threshold
Threshold should be 3.83 or less

Meat/Meat alternates may be served **in place of the entire grains** component **at breakfast** for a maximum of three (3) times per week.



Yogurt Guide- USDA's Team Nutrition created an easy to use Yogurt Guide to help you determine if the yogurt you want to use is creditable. Please see our website under the Policies and Regulations tab to access the guide: http://evergreencacfp.org/policies

Milk

Milk is required for all major meals (Breakfast, lunch and dinner). The type of milk served must be documented on the menu and must include the % fat content.

Children 1 year of age: Must be served **whole milk**

Children ages 2-5: MUST be served UNFLAVORED 1% or fat-free (non-fat).

Children ages 6 years and above: May be served the following:

1. Unflavored 1% or fat-free (non-fat) milk
2. Flavored fat-free (non-fat) milk. However, in the state of **California**, flavored milk is not allowed to be served in licensed child care facilities.

Children 1 year of age: Must be served whole milk

Children ages 2 +: Must be served UNFLAVORED 1% **or** unflavored fat-free (non-fat) milk.

Soy Milk (Requires milk substitution form)

Soy milk may be offered if a child does not have a disability, but the parent or legal guardian is requesting a fluid milk substitute due to a medical or other special dietary need. The child's parent or legal guardian must sign the
PARENTAL REQUEST FOR A FLUID MILK SUBSTITUTION FOR CHILDREN IN CHILD CARE. The Form is available in ECCI's website under the Forms tab.

http://evergreencacfp.org/forms

The above mentioned form is not intended to accommodate children who drink fluid milk substitutions, such as soy milk, due to taste preferences. The child care provider has the discretion to select a specific brand of milk substitute, since acceptable products must meet specified nutrient requirements. Prior to completing the form, please contact Evergreen to verify if the child's milk substitution product is acceptable.

The following soy milk product has been approved by our agency:

- **8th Continent Soy Milk (Original)**

Infant Menu Requirements (0-11months)

Individual infant menu with corresponding child's name/age must be checked on the infant meal claim.

On the menu comment section please indicate the infant formula name and serving size OR breast milk and serving size.

Provider needs to indicate how much formula/breast milk was served, not the amount that the infant had consumed under the comment section. Do not forget that child is still 11months until his/her first birthday.

Processed meats (e.g. chicken nuggets, fish sticks, corn dogs, sausages, and etc.) and any food items that contain honey and nuts are not reimbursable for infants.

Citrus fruits, including pineapple, that contain high amount of acids should be prevented being served to infants since it may cause allergic reactions.

Baby bottles are for formulas, breast milk and water ONLY.

Solid foods are gradually introduced around 6 months of age, as developmentally appropriate.

Parents are only allowed to bring ONE of the required components for infants (0-11 months).

The CACFP encourages and supports breastfeeding

Breast milk must be provided by the infant's mother ONLY. All pumped breast milk bags and/or bottles must be labeled with the infant's name and when (date) the breast milk was pumped.

Provider can receive reimbursement for meals when a breastfeeding mother comes to the day care home and directly feeds her infant. Ensure to provide a private area so mothers can breastfeed comfortably.

Note: When parent comes to breastfeed, there is NO need to put the ounces (oz.) served on the infant menu.

Only breast milk and iron fortified infant formula are served to infants 0-5 months old. In the current infant meal pattern only breast milk and iron fortified infant formula can be served to infants 0-7 months old (if they are NOT developmentally ready to eat solids yet.)

Fruits/Vegetables for infants

Requires a vegetable or fruit, or both to be served for AM/PM snack (required when child is developmentally ready to eat solids)

Juice cannot be served to infants.

Grains for infants

Ready to eat cereals can be served for AM/PM Snack (Ex. Cheerios)

Hot ready to eat cereals are NOT creditable (Ex. Farina, cream of wheat, oatmeal, grits). Providers may serve this on the side, but not claim on the menu.

Meat/Meat alternate for infants

Whole egg is creditable for infants

Yogurt for infants

Yogurt is creditable for infants (previously yogurt was NOT reimbursable). The yogurt must contain no more than 23 grams of sugar per 6 ounces.

Sugars/serving size = threshold
Threshold should be 3.83 or less

Non creditable yogurt products:

-Frozen yogurt
-Drinkable yogurt
-Homemade yogurt
-Yogurt-flavored products
-Soy yogurt

Tofu is not creditable for infants.

VII. RECORDING MEAL ATTENDANCE

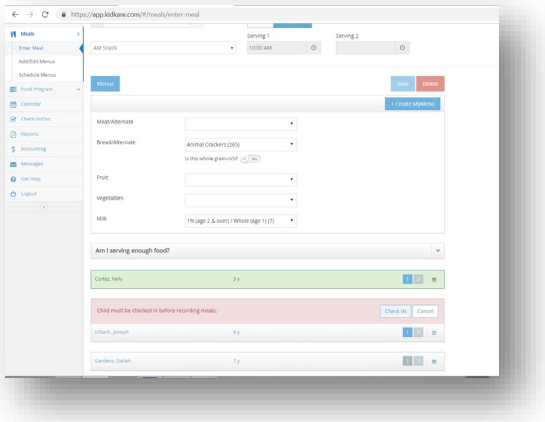
Refer to the KidKare guide and KidKare training videos for instructions on how to use the web-based program. The KidKare guide and videos are available in our website under the policies and regulations tab: http://evergreencacfp.org/policies

Meal attendance must be recorded daily prior to 10:00PM for meals to be subject for reimbursement.

Provider may choose to log in the meal attendance prior to 10:00PM, during or after each meal service to KidKare directly through a computer, tablet, and/or smart phone.

DAILY ATTENDANCE REQUIREMENT: Providers are required to check in the daycare children daily. The check in box will appear automatically when you attempt to record a child's first meal of the day. Please ensure to click "Check in".

Meal attendance must be recorded DAILY prior to 10:00PM for meals to be subject for reimbursement.



Please be advised, failure to check in the children will result in disallowance of meals, as Minute Menu (KidKare) will compare the checked in children for the day with the meal attendance of the day. Furthermore, failure to check in the children may lead to serious deficiency determination, as it is part of the record keeping requirement.

Technical Issues: On any occasions, when you are unable to log in the meals on KidKare due to technical issues (power outage, internet down, computer down, and etc.) before the end of each day, provider must do the following in order for ECCI to consider logging in the meals.

- Call ECCI on the same day and/or leave a message on our voicemail (#0) and report the problem that you have encountered.
- Fax or e-mail (joinecci@gmail.com) weekly menu & daily/weekly worksheet for that day before midnight. (Our fax machine will record the date & the time when the form was faxed).
- ECCI must have the appropriate reason why the daily records were not recorded by the provider on the same day in order to log in the meals. ECCI will not log in the meals if you fail to inform us of the problem on the same day and/or meal forms are not faxed or e-mail to us before 10pm. If you do not have an access to the fax machine nor e-mail, you may leave a voice message first on the same day before 10pm and fax or e-mail the document on the following morning.
- "I forgot to log in meals" is not an acceptable reason to ask ECCI to log in the meals for the provider.

Confirming meal attendance was saved: It is provider's responsibility to edit check by logging into KidKare and review their "Meals Calendar" before end of each day to ensure that all meals served are recorded & saved accurately.

Claim no more than two major meals* and one supplement or one major meal* and two supplements per day per child. (* Major meal: Breakfast / Lunch / Dinner)

School Age Children: School-Age children (6 years or older) cannot be claimed for lunch or am snack unless providers submit a reason for claiming lunch or am snack while claiming meals for the child. School age note box is located right next to meal claiming box as sick or school out. Please click the appropriate reason for claiming the school age child. You may also use the child's calendar to log in the school age note for extended vacation/holiday schedules. *AM snack and/or lunch meal will not be reimbursable for school-age children if no explanation is provided with the monthly claim.*

Meals should be served within the **meal time frame**.

- **Breakfast**: after 7AM and before 9 AM
- **AM Snack**: after 9 AM (two hours after breakfast and/or two hours before lunch)
- **Lunch**: between 11 AM to 1:30 PM
- **PM Snack**: two hours after Lunch or two hours before dinner
- **Dinner**: after 4 PM to 7PM

** Must have at least 2 hour space between each meal and 3 hour space between each major meal.

Meals that are being claimed need to have a specific meal time within the meal time frame and need to be documented for Evergreen's records. ***Anytime meal service schedules are changed, Evergreen must be notified in writing and/or by call-in prior to the date that such changes will take in place. Failure to notify ECCI for changes in advance will result in disallowance of meals on the day of the visit and/or may lose the privilege to claim the certain meal types that ECCI cannot observe during the visitations.*** Meal schedules that need to be documented also include shift meal schedules where there may be more than one service of the same meal at a different time. As a CACFP sponsor, we are required to monitor at least two meal time visits in every fiscal year. By knowing your meal schedule, we can visit your facility at the proper times to observe your actual meal service.

Recording Daily In/Out Times (if applicable)

Daily in & out record is NOT required if your daycare does not have shifts.

Any providers who has shifts (When number of enrolled children are greater than the license capacity and/or number of daily meals claimed for any meal types are greater than the license capacity) must record actual time in and out for **all children** as children comes in and leaves the day care on daily basis.

Provider must have both time in & out for each child in order for the meals to be processed. Ensure to record AM and/or PM properly on the daily in & out section.

VIII. CLAIM SUBMISSION, REIMBURSEMENT & CLAIM SUMMARY AND ERROR REPORT

1. Submit your claim at the end of the month
2. Review your error report once it becomes available
3. Reimbursement will be received 4-6 weeks from the sponsor submission date.

Meal claims due date: Meal claims are due at the end of the month or prior to starting the new month.

To submit your meal claim, log into your KidKare account and click the **Food Program** tab, and select **Send to sponsor**. Ensure to check off the "I agree to the terms and conditions" box and then click on the **send** button. Once sent, you will see the sent date on the top of window.

All meal claims will be reviewed by ECCI staff and its claim information will be submitted to California Department of Social Services (CDSS) before the 10th of each month.

2022-2023 CACFP Reimbursement Rates - The following chart reflects the annual adjustment reimbursement rates in the Child and Adult Care Food Program (CACFP) for State Fiscal Year 2022–2023. Included are the federal rates for Tier 1 and Tier 2 established by the U.S. Department of Agriculture (USDA) for the CACFP.

Day Care Homes (Child Care Only) Federal Reimbursement
Effective July 1, 2022 through June 30, 2023

Breakfast		Lunch		Dinner		Snack	
Tier I	Tier II	**Tier I**	Tier II	**Tier I**	Tier II	**Tier I**	Tier II
$1.66	$1.66	**$3.04**	$3.04	**$3.04**	$3.04	**$0.97**	$0.97

Day Care Home State Meal Reimbursement
Effective July 1, 2022 –June 30, 2023

Day Care Home receives 70% of the below calculation
$0.1853 state reimbursement for 75 percent of the breakfast and lunches served to participating children

Reimbursement date- Once the claim information is submitted to the CDSS, it takes approximately 4-6 weeks to process our claim request.

When ECCI receives the reimbursement, it must be disbursed within 5 working days.

Late submission- Late submission of required documentation will delay reimbursement and may result in no reimbursement to the provider.

- 1st Adjustment Claim: Any late meal claims received after the 10th and before the 29th of each month will be processed under 1st Adjustment. 1st Adjustment will be submitted to CDSS on the 30th of each month.

- 2nd (Final) Adjustment: Any late meal claims received after 30th and before 11th of the following month will be processed under 2nd (Final) Adjustment. 2nd Adjustment will be submitted to CDSS on the 15th of following month. ECCI cannot process any late claims that is submitted after Final Adjustment due date.

Claim Summary and Errors Report- After submitting your meal claim to our agency, your Claim Summary and Errors Report will be available **2-3 business days** after submitting your meal claim. It is provider's responsibility to review their Claim Summary and Errors Report to review their errors (if any) and take action to avoid making the same errors in future claims. Please contact ECCI if you have any questions.

How to access the Claim Summary and Errors Report- On KidKare go to **Reports**>under the select category box select **Claim Statements>** under the select a report box select **Claim Summary and Error**> select the **month** you wish to review.

We want all of our providers to strive in receiving the following message on their Claim Summary and Errors Report- "CONGRATULATIONS! WE FOUND NO ERRORS ON YOUR CLAIM"

It is provider's responsibility to review their **Claim Summary and Errors Report** to review their errors (if any) and take action to avoid making the same errors in future claims.

IX. MEDICAL AND NON-MEDICAL FOOD SUBSTITUTIONS

Medical Statement

It must be submitted for any of the following reasons:

1. **Participant has a disability or a medical condition that requires a special meal and/or accommodation**.

2. Participant does not have a disability, but is requesting a special meal or accommodation **due to a food intolerance or other medical reason**. This form must be completed in its entirety and submitted to Evergreen, Inc. before the day care home can make any meal substitutions for child.

Day care homes are **required** to accommodate the special dietary needs of participants with disabilities.

An individual with a disability is defined as any person who has physical or mental impairment that substantially limits one or more major life activities or is regarded as having such an impairment. Major life activities include caring for one's self, eating performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

For participants who do not have a disability, day care home may, at their discretion, accommodate special needs. However, any menu substitutions made for non-disabled participants must meet the CACFP meal pattern requirements in order to claim meals and snacks for reimbursement. Requests for special meals or accommodations must be documented by a medical statement.

The medical statement must specify:

- The participant's disability or medical condition
- The specific diet prescription or accommodation requested
- Specific foods to be omitted and suggested substitutions

The medical statement must be signed by:

- A licensed physician for participants with a disability
- A licensed physician, physician's assistant, or nurse practitioner for participant without a disability.

Medical statements must be reviewed and updated annually

The medical statement form is available in Evergreen's website in the Forms tab:
http://evergreencacfp.org/forms

X. LICENSING REQUIREMENTS

In order to participate in the Program, Family Daycare Home must be licensed or approved through Department of Social Services. Keep in mind that each provider must notify ECCI immediately if there is any change in enrollment or licensing/approval status.

Proof of the license renewal fee payment- Providers who are in participation in the CACFP must be current with their daycare license. Proof of the license renewal fee payment made to the Department of Social Services (DSS) is required to be submitted to ECCI annually.

- Online payment receipt
- Copy of cancelled check
- Original check copy and corresponding bank statement
- Copy of money order
- Copy of profile (Providers can request a copy of their profile from licensing)

Licensing ratio- According to the Department of Social Services, infants are considered up to the age of 24 months old. For Child and Adult Care Food Program menu plan 0 to 12 months old are considered as infants.

Capacity of 14– No more than 3 infants with 1 child in kindergarten or elementary school and 1 child at least age 6.

Under 2 yrs old	2-12 yrs old	13th child must be enrolled in kindergarten or elementary	14th child must be over 6 yrs	Total Capacity
3 infants	9 children	1 child	1 children	14 children
0 infants	12 children	1 child	1 children	14 children
4 infants	8 children	0 children	0 children	12 children

Capacity of 8- No more than 2 infants with 1 child in kindergarten or elementary school and 1 child at least age 6.

Under 2 yrs old	Age 2-12 yrs.	Over 6 yrs (school age)	Total Capacity
2 infants	4 children	2 children	8 children
2 infants	4 children	1 child	7 children
0 infants	6 children	0 children	6 children
3 infants	3 children	0 children	6 children
4 infants	0 children	0 children	4 children

Over Capacity: If over capacity is detected by Field Specialist during a monitoring review, Field Specialist will report the violation to Community Care Licensing Division (CCLD) and all ineligible meal claims will be disallowed. In addition, provider may be determined as a Serious Deficient Provider in violation of License Capacity Regulation.

- First offense: Report a violation to CCLD and initiate the SD process.
- Second offense: Report a violation to CCLD and initiate the Termination process.

If overcapacity is detected during claim review:

- First offense: Written warning will be given with a corrective action request and ECCI will keep track of the providers with overcapacity by keeping record on a spread sheet.
- Second offense: Initiate SD process.

RELOCATING DAYCARE- It is the daycare provider's responsibility to notify ECCI when the location of the day care home will change. A relocated day care home must be treated as a new home and the following must be completed:

- Provider must notify ECCI before moving.
- Provider must provide ECCI the new facility day care license, once it becomes available.
- A pre-approval visit must be conducted and a new application and agreement must be completed at the new residence. Provider will not receive payment at the new residence until the approval visit is conducted.

If a provider moves without notifying ECCI, none of the meals for the month the provider moved will be reimbursed until a pre-approval visit, application and agreement are completed.

XI. CIVIL RIGHTS

Civil Rights regulations are intended to assure that the benefits of the Child Nutrition Programs (CNP) are made available to all eligible persons. This includes:

1. 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.

2. Distributing and classifying the Applications for Free and Reduced-price Meals [Application Statement of Household Size-Income For the Child and Adult Care Food Program (Child Care Component)] in a way that is fair to all and does not discriminate based on race, color, national origin, age, sex, or disability.

3. 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 ECCI's responsibility in assisting the complainants in reporting the alleged incident(s), investigate the incident in a fair and impartial manner, and to work with the TDA and/or the USDA to resolve the complaint.

Examples of discriminatory practices include:

- Refusing the enrollment of an eligible child 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 Application Statement of Household Size-Income For the Child and Adult Care Food Program (Child Care Component) to only some households (For example, distributing
- Application Statement of Household Size-Income for the Child and Adult Care Food Program (Child Care Component) only to those households the Sponsor thinks will qualify for free or reduced-price eligibility)
- Failing to apply the same eligibility criteria to all provider participants Obligation to Offer Infant Meals in the CACFP

All child care providers that have infants participating in the Child and Adult Care Food Program (CACFP) must offer meals to all children enrolled for care in their facilities, including infants. A provider may not avoid this obligation by stating that the infants are not "enrolled" in the CACFP, or by citing a logistical or cost barrier to offering infant meals. Decisions on offering meals must be based on whether the child is enrolled at the facility, not whether the child is enrolled in the program. The parent/guardian may decline program participation through the food program application. To decline the food program, provider will need to remove the checkmark in the "Participating in the CACFP" box in step one in the enrollment application, and still needs to provide the hours in care and days in care, along with the other requested information. Parent/guardian must date and sign the form. When a CACFP non-participating infant is in care during the meal service period, the child care provider must offer the infant meals that comply with program requirements.

Collecting and Reporting Racial/Ethnic Data

Collecting racial and ethnic data is required as part of the annual renewal process. ECCI will maintain racial/ethnic data for three years plus the current fiscal year as required by federal regulations. All racial/ethnic data is confidential and is stored in a way that protects each participant's privacy.

Civil Rights Complaints

All written or verbal complaints alleging discrimination on the basis of race, color, national origin, sex, age, or disability shall be processed within 90 days of receipt. The USDA Office of Adjudication, under the Secretary of Agriculture, is responsible for the handling of complaints.

Civil Rights Training

All providers shall be annually trained on the Civil Rights Requirement.

USDA NONDISCRIMINATION STATEMENT:

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) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and 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.

This institution is an equal opportunity provider.

XII. MONITORING VISITS

During each fiscal year, minimum of three monitoring visits are required for day cares participating in the Child and Adult Care Food Program (CACFP). Two out of the three monitoring visits conducted are unannounced and must be in observance of a meal service.

Follow-up visits: In the event that ECCI needs to conduct a follow-up visitation, the follow-up will be unannounced. *All follow-up visitations are unannounced.*

Reminder: Evergreen's fiscal year begins in October and ends in September of the following year.

Providers who live in a gated community/apartment must provide ECCI an access code (if applicable) or make arrangements with the gate entrance patrol to allow an access for ECCI staffs to enter the premises without calling the provider to comply with the unannounced visit requirement (It cannot be considered as unannounced visit if we have to contact the provider at the gate to grant access to enter the premises. If no such arrangements can be made, ECCI cannot provide the service to those daycares that we cannot furnish the monitoring visit requirement.)

Saturday Visitation: Saturday monitoring visitation will be conducted for providers who are approved for Saturday cares. (Saturday registration form must be on file and approved by ECCI.)

Monitors will check for:

- License, capacity, enrollment applications, declining forms (if applicable), tiering status, record retention, license renewal fee payment record, and medical statements (if applicable).
- Full names of the children present in the Recorded Meals will be compared with the enrollment form. If completed enrollment application for new and/or updated child(ren) is not available, the meal claims for that child will be disallowed. Please note that ECCI has right to call the parents of the child to verify the enrollment status.
- Regular/Infant Menu, Recorded meals, and Daily In & Out records (if applicable) to ascertain that records are up-to-date. (Correction (change of menu) must be made on the printed weekly menu plan prior to its meal service not after; Menu must be posted in a prominent place. All required documents must be readily & immediately available to monitors for review at all times.
- All foods used in preparation of a meal must be readily available for monitors to see.
- Meals being served to children accordingly to provider's meal time schedule.
- Any non-creditable food is being used.

- For meal visits, ECCI will compare between the number of children being claimed on daily basis in the claim month and the number of children ECCI observes during the meal service. If 85% of the average number of children claimed are not seen more than two time during the same fiscal year, you may lose the privilege of claiming that meal type where we are unable to observe the 85% of attendance and you may be found as a Serious Deficient Provider

- License capacity compliance. Over capacity situations and incompliance of the adult staff-child ratio would be reported to the Department of Social Services. All the meal claims for the month will be disallowed.

- CACFP meal pattern requirement. Meal pattern (Food Chart) must be posted in the kitchen and provider must serve adequate serving sizes based on the child's age for each component that are being served.

- Sanitation and safety of the facility.

Failure to Comply with Regulations during a Monitoring Visit:

- Provider shall receive a disallowance of any meals that relate to the deficiency found.

- Technical Assistance shall be given to the provider on site by the field specialist conducting the visit.

- Serious Deficiency letter will be mailed out with the detail information of all findings (if needed).

XIII. POLICIES AND REGULATIONS

INCOMPLIANCE WITH CACFP MEAL PATTERN REQUIREMENTS- Meals claimed in the CACFP must comply with CACFP meal pattern requirements. Failure to comply can lead to serious deficiency determination and ECCI will take the following actions:

- **First offence**: Training will be provided and applicable meal disallowances will be made.
- **Second offence:** Letter will be issued to the provider and a corrective action plan will be required. Also, applicable meal disallowances will be made
- **Third offence:** SD Process will be initiated and applicable meal disallowances will be made.

RECORD KEEPING- All information on the claiming records (Menu planning for infant/non infants, recording meals, and enrollment applications) must support your daily meal claim. **Please double check** your records before end of each day to ensure accuracy of your meal claim.

Why Record Keeping is important?

- Records kept on a daily basis will ensure accurate reports of attendance and meal counts for both the provider and sponsor.
- Logging meals and attendance on a daily basis at the time of each meal service will help to prevent objections between providers and sponsors.
- It is mandatory in accordance with CACFP regulations.

ENROLLMENT APPLICATIONS- Providers are required to offer the food program to all children in care, regardless of the child's participating status (participating or non-participating). The CACFP enrollment application needs to be completed (with parent/guardian signature and date) prior to the child's first day in care. Copies of enrollments must be kept and made available for CACFP reviewers for 4 years. Provider must assign a personnel to complete and submit the enrollment application for new enrollees.

Failure to comply with the Enrollment Application Regulation will result in the following:

- **1st offense:** Provider will be retrained on site by ECCI staff and the child(ren) present during our visit without an enrollment will have to be enrolled immediately (the same day of our finding). ECCI staff will contact the provider once back in the office, to ensure that the provider has mailed or personally delivered the completed enrollment application to the ECCI office.
- **2nd offense:** Provider will have to submit a Corrective Action Plan and a follow-up visitation will be conducted. The child(ren) present during our visit without an enrollment will have to be enrolled immediately (the same day of our finding). ECCI staff will contact the provider once back in the office, to ensure that the provider has mailed or personally delivered the completed enrollment application to the ECCI office.

- **3rd offense:** Provider will be issued a Serious Deficiency Letter and a follow-up visitation will be conducted. The child(ren) present during our visit without an enrollment will have to be enrolled immediately (the same day of our finding). ECCI staff will contact the provider once back in the office, to ensure that the provider has mailed or personally delivered the completed enrollment application to the ECCI office.

PARENT'S FORM FOR DECLINING THE FOOD PROGRAM- All children regardless of race, color, national origin, gender, religion, disability, political beliefs, sexual orientation, marital or family status will not be discriminated by the food program. Provider is still required to complete the enrollment application for the child even if the parent/legal guardian has decided to decline CACFP. By *unchecking* the section "participating in CACFP," enrollment application will become a declining form. This form will ensure that all families are given the right to participate their child in the food program and it was the choice of the parent/guardian that the child is not enrolled.

Only parent/guardian of the child(ren) has the right to decline the CACFP.

RECORD RETENTION

All participating Daycare home (DCH) and Center in Child and Adult Care
Food Program (CACFP) must retain the copy of the following ECCI's documents:

- License documentation of current status, or authorization to operate
- Children Enrollment documents
- Attendance documentation (Number of children in attendance)
- Meal counts (Number of meals by type served to enrolled children & Number of enrolled children served at each meal)
- Documentation from families declining participation
- Menus (Menus and types of foods served to enrolled children at each meal)

DCH providers and Centers must retain all records for a minimum of three years after the end of the program year (PY) to which they pertain or until audit and administrative review issues are resolved. For example, sponsors and providers must keep records for PY 2019–20 (October 1, 2019 through September 30, 2020) until at least October 1, 2023. These records may then be disposed of only if there are no unresolved audit findings, administrative review issues, or the DCH provider/Centers are not under investigation.
In the event of an earthquake, flood, or fire, or other disaster type event, evidence of enrollment documentation, eligibility, and meal counts is required. DCH providers and Centers must keep these records even if they are illegible from water, fire, or other type of damage. If the documents are completely lost, DCH providers and Centers must have a record of the disaster to document their loss, such as an insurance or police report. If the records are lost or damaged, DCH providers and centers must immediately notify Evergreen.

Providers and Centers must maintain current PY records pertaining to the CACFP in their home and make them available for review during normal business hours. The prior three years records can be maintained offsite but must be readily available if needed. Failure to maintain records to support claims may result in the denial of meal reimbursement, Serious Deficiency and jeopardize the participation in the CACFP.

MAKING DAILY RECORDS AVAILABLE: Provider's CACFP records need to be made available for ECCI, CDSS or any CACFP representative to review. The CACFP records include but are not limited to: Daily menus, meal records (meal attendance), in & out times (if applicable), enrollment applications, annual enrollment renewal, meal benefit forms, milk substitution forms, medical statements, annual licensing fee payment receipts, child nutrition labels (if applicable) and product formulation statements (if applicable). Staff left in charge while the provider is absent should be aware of where the CACFP records can be accessed. Failure to comply with this regulation will result in the following:

- **First offence:** Training will be provided.
- **Second offence:** Corrective Action Plan will be requested.
- **Third offence:** SD Process will be initiated and a Corrective Action Plan will be requested.

SAVING CURRENT MONTH'S FOOD PACKAGES: Please ensure that you save your food label packaging for the current month to allow CACFP reviewers review them and ensure that the foods being served are creditable. Providers must save packages showing the products front label, list of ingredients, and nutrition facts label for ALL commercially prepared items. The foods include and not limited to: all grain/bread items, yogurt, juices, tofu (if offered), and processed meat items (such as lunch meat, hot dogs, chicken nuggets, corn dogs etc.).

- **First offence:** Training will be provided and applicable meal disallowances will be made.
- **Second offence:** Letter will be issued to the provider and a corrective action plan will be required. Also, applicable meal disallowances will be made
- **Third offence:** SD Process will be initiated and applicable meal disallowances will be made.

SATURDAY CLAIM- Separate Saturday Meal Claim Registration Form is required to register for the Saturday. Saturday claims are only approved for providers who have Saturday care children on regular basis. Any providers who have not registered nor received our approval letter, you are not eligible to claim for Saturday meals.

PROOF OF THE LICENSE RENEWAL FEE PAYMENT- Providers who are in participation in the CACFP must be current with their daycare license. Thus, proof of the license fee payment made to the Department of Social Services (DSS) is required to be submitted to ECCI annually.

Proof of the license renewal fee payment (front & back copy of the cancelled check, money order, online payment confirmation, bank/credit card statement that has payable to DSS, and etc.) must be forwarded to ECCI within 2 months from the license renewal date. Failure to submit the required proof within the due date may be used as a ground to determine provider as Serious Deficient.

ANNUAL PROVIDER TRAINING- ECCI provides "Annual Provider Training" once a year. This training is mandatory. Thus, all providers who are in participation of CACFP must attend/complete this annual training. Provider may be determined as a Serious Deficient Provider from the food program if you fail to attend/complete the mandatory annual workshop.

HOUSEHOLD CONTACTS- To improve the program integrity within the Child and Adult Care Food Program (CACFP), all sponsors participating in the CACFP are required to conduct household contacts in order to verify the enrollment and attendance of the children in care and the specific meals that are routinely served to them.

Household contacts of enrolled children will be made if a provider:

- Claims a greater number of children at any meal than the number of children enrolled or in attendance.
- Claims weekend or holiday meals when such meals are not substantiated by enrollment or attendance records.
- Reports uniform meal counts on a consistent basis that raise suspicions about the provider's claiming practices.
- Claims his /her own child (which is permissible) when only the provider's children or one outside child is present.
- Reports that one or more of the same children are never absent from care.
- Records a consistently high number of children in attendance; however, the monitoring visits do not verify the high attendance figures, instead showing fewer children in care than is consistently reported.

For all children who are participating in the CACFP with Evergreen **must have** current parental contact information available at all times. If for any reasons ECCI cannot complete the household contact may result in disqualification of food program for the child.

Any provider who falls under one or more criteria mentioned above, ECCI will conduct the household contact either by telephone or in writing.

SUNSHINE REGULATION- To assist and to protect our providers as well as our staff, ECCI wants to ensure that providers and ECCI staff show mutual respect to each other for the wellbeing of everyone.

As a provider, if you have received unfair treatment and/or have been offended in any shape or form by ECCI staff, please submit a written complaint to the Program Director (Attn: Mr. Young Jin Pak) within 30 days of the incident. Provider must state the name of the staff and detail information about the incident. Upon receipt of the written complaint, ECCI will investigate on the incident and will correct / retrain our staff(s) if necessary.

Contrarily, if a provider uses offensive language and/or behavior to ECCI staff(s), it may be used as grounds to cancel the provider's agreement with our agency.

RECORDING ATTENDANCE IN ADVANCE

- **Step 1:** Provider will be retrained. All meals in which are documented prior to the meal being served will be disallowed and documented in the report

- **Step 2:** Provider who completes the Attendance prior to the meal being served for the second consecutive times within the fiscal year, may be determined as a serious deficient. Any and/or all meals that are documented in advance will be disallowed. Attendance must be recorded at the time of and/or right after each meal service.

RECORD KEEPING VIOLATION FOR MENUS, MEAL COUNTS AND ATTENDANCE

- On a first offense, if a provider fails to update any daily documents including menus, meal counts and attendance for less than two days, ECCI will note the finding in the monitoring report and provide on-site training (any meals related to the finding will be disallowed). **If a provider fails to provide records for <u>more than two days</u>, ECCI will initiate the SD process.**

- On a second offense, if a provider fails to update any daily documents including menus, meal counts and attendance for less than two days, ECCI will note the finding in the monitoring report that failure to implement permanent corrective action will result in the initiation of the Serious Deficiency (SD) process. A letter notifying the finding(s), corrective action and the consequence will be sent to the provider. **If a provider fails to provide records for <u>more than two days</u>, ECCI will initiate the SD process**

- On a third offense, if a provider is found with similar or same finding in future visit, ECCI will initiate the SD process.

RECORD KEEPING VIOLATION RELATED TO INTERNET AND/OR COMPUTER ISSUES (ONLINE CLAIMING)

- **On a first offense**, if a provider fails to record the claim (meal attendance, menu and time in & out if applicable) or unable to show records due to internet and/or computer issues , ECCI will warn the provider in the monitoring report that failure to implement permanent corrective action will result in the initiation of the SD process. A letter including finding(s), corrective action, and the consequence will be sent to the provider.

- **On a second offense**, ECCI will initiate the SD process.

PROVIDER'S ABSENCE POLICY- An action will be taken if a Provider fails to comply with CACFP regulations:

- **First Absence:** If the monitoring visit was conducted during non-meal visit, provider may receive a written notice stating the time and date of visit. In addition, provider will be asked to submit a schedule of meal service times and pick-up times. A follow up visit will be conducted. If the provider fails to inform ECCI (by call-in or/and in writing) in advance and the monitoring visit was conducted during the meal time, including Saturdays, any meals claimed for that day and all days prior will not be reimbursable. In addition, if the monitoring visit was conducted on Saturday, provider may lose the privilege to claim Saturdays permanently.

- **Second Absence:** Provider will receive a written notice stating the time and date of the visit. Meals for that day and all days prior will be disallowed and a follow up visit will be conducted. Evergreen will initiate the SD process.

PROVIDER'S CALL-IN POLICY- If the provider fails to inform Evergreen by call-in and/or in writing of any changes related to meal service (no children in attendance during registered meal times, field trip, meal time change, no meal service or claiming, and etc.) prior to meal service, following actions may be taken.

- **On a first offense**, if a provider fails to inform Evergreen in advance by call-in and/or in writing of any changes related to meal service (no children in attendance during registered meal times, field trip, meal time change, no meal service or claiming, and etc.), ECCI will warn the provider in the monitoring report that failure to implement permanent corrective action will result in the initiation of the SD process. In addition, a provider will be given an on-site training regarding the Call-In Policy. Meal(s) will be disallowed for any meal type(s) that the provider had failed to inform Evergreen in advance of changes made related to the meal service (such as meal service time change without notice, meals already being served, adding and/or deleting meal types that provider claims, no meal service, and etc.). A letter notifying the finding(s), corrective action and the consequence will be sent to the provider.

- **On a second offense,** if ECCI cannot observe the actual meal service to children during the meal service visitations, meals will be disallowed. If two or more visits were conducted to observe one targeted meal type; provider may lose the privilege to claim that meal type that ECCI staff could not validate. In addition, ECCI will initiate the SD process.

ALLOWING US ACCESS TO YOUR DAYCARE HOME

ECCI providers must permit representatives of ECCI, the CDSS, or the USDA to review CACFP records and the meal and/or snack service operation in the home during announced or unannounced visits during normal childcare hours (Such representatives must show photo identification that identifies them as employees of their respective organizations) Failure to do so will result in the following:

- **First occurrence:** Meals will be disallowed, and provider will be issued a corrective action letter. Follow-up visit will be conducted.
- **Second occurrence:** Meals will be disallowed, and provider will be issued a Serious Deficiency letter. Follow-up visit will be conducted.
- **Third occurrence:** Meals will be disallowed, and ECCI will initiate the Termination Process.

Exemptions may be given for valid emergencies and natural disasters.

Providers have the right to appeal any action taken against him/her. Providers who wish to appeal the actions taken against him/her should contact ECCI for procedural instructions.

PARENTAL COMPLAINTS TOWARDS DAY CARE PROVIDER- Evergreen Child Care Inc. is a non-profit organization in which its duties are to disburse reimbursements received from the California Department of Education to its providers, reinforce and educate child nutrition, and to police any minor or serious deficiencies in accordance with CACFP and Evergreen's own regulations. ECCI's duties also include arbitration and proper corrective action of any discrepancies related to the food program between a parent and provider. The following steps shall be taken in order to determine the proper solution:

Responsibilities of Evergreen Child Care Inc.:

- ECCI will cover the investigation un-objectively and will only render its decision based upon sufficient evidence.
- ECCI will only conduct investigations that pertain to the food program and CACFP regulations. All other disputes are to be resolved between the provider and parent.
- Information given by both parties shall remain private and will not be given to the opposing party upon request.
- Evergreen shall give its best effort in order to provide a proper investigation and a fair decision to the provider.

Responsibilities of the Parent:

- In order to make a valid complaint, the parent must provide his/her name, address, telephone number if available, and the name of his/her child.
- The parent must be able to prove that his/her child was enrolled in the provider's day care facility by at least providing the name of the provider, telephone number and address.
- Parent will give a detailed explanation of the complaint, and if possible a written statement. Parent should also be able to answer any specific questions we may have for them during the investigation.
- The parent must be willing to participate with the investigation, either by further questioning, parental survey, etc.
- Parents should only make valid complaints if they feel the provider is not operating up to standard, and if they feel the provider's integrity is in question.

Responsibilities of the Provider:

- It is the provider's responsibility to provide a rebuttal towards the parent's claim.
- The provider will be requested to submit a written statement supporting their defense of the accusations made by the parent/parents.
- Providers will be expected to be available for any questions that may arise during the investigation and have any documentation requested available for inspection.
- Providers must accept any additional monitoring visits announced or unannounced that may need to be conducted for the investigation. Additional monitoring visits might not be counted towards your normal monitoring visit requirements.
- If the provider decides not to participate in the investigation then ECCI will have no choice but to be in favor of the opposing party.

Note: Should any party choose not to follow this policy's regulation; ECCI will automatically be in favor of the opposition or choose to dismiss the case in its entirety.

If ECCI finds in favor of the parents argument, the provider will be subject to punishment under CACFP regulations and possible dismissal from the food program. Severity of punishment will be judged based upon the type of deficiency/deficiencies.

XIV. SERIOUS DEFICIENCY

Federal regulation requires that sponsors initiate the process to terminate their agreement with a provider for cause if the sponsor determines that the provider has committed one or more Serious Deficiency (SD).

What qualifies as a Serious Deficiency?

- Submission of false Information.
- Submission of false claims for reimbursement.
- Simultaneous participation under more than one sponsoring organization.
- Failure to keep required daily records up to date
- Failure to make daily records available for review
- Failure to notify the sponsor in advance of absence from home and/or call-in when there's any changes to daycare operation/meal service
- When ECCI cannot complete monitoring review even with our best effort due to provider's absences, meal times being changed without notifying ECCI, no children in attendance, no meal services, not being able to observe legitimate number of children with the number of meals providers normally claims, and etc.
- Failure to comply with the record retention requirement.
- Failure to submit the proof of the license renewal document within 2 months after its expiration date.
- When meals being served and/or claimed do not meet the Meal Pattern Requirements
- Over License Capacity is detected
- Failure to attend/complete mandatory annual training.
- Imminent threat to health or safety
- Conviction indicating a lack of business integrity during the past 7 yrs. (Lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, making false claims, or any activity that indicates lack of business integrity.
- Any other circumstances related to non-performance under the sponsoring organization-day care home agreement.

Determination of such deficiencies is at the sponsor's discretion

The following steps shall be taken upon determination of a serious deficiency related to serious health or safety violation:

- Upon determination that there is imminent threat to the health or safety of participants in the home, or the provider engages in activities that threaten public health or safety, ECCI will immediately notify state or local licensing and health authorities.

- Notice of Serious Deficiency, Suspension, Proposed Termination and Proposed Disqualification Notice: "Imminent Threat to Health or Safety" with appeal procedures will be sent to provider by a method of delivery that confirms receipt and/or delivery of the notice. A copy of the suspension notice will be sent to the Program Integrity Unit (PIU).

- All program payments will remain suspended until administrative review is concluded.
- If the administrative review official overturns the suspension, the provider may claim reimbursement for eligible meals served during the suspension for which the provider has maintained daily records.
- Termination of CACFP agreement will result in provider being placed on the National Disqualified List.
- Voluntary termination after receiving the suspension notice will result in provider being terminated for cause and placed on the National Disqualified List.

The following steps shall be taken upon determination of a Serious Deficiency

Notice of Serious Deficiency shall be sent to Provider by a method of delivery that confirms receipt and/or delivery of the notice. A copy of the Serious Deficiency notice will be forwarded to California Department of Social Services (CDSS), Nutrition Services Division (NSD), and Program Integrity Unit (PIU). Notices shall contain the following:

- Detailed description of Serious Deficiency.
- Corrective Actions plan with a specified deadline (max. 30 days).
- Serious deficiency determination is not subject to appeal.

If provider fails to submit the corrective actions by due date, ECCI will:

- Propose to terminate your agreement to participate in the CACFP for cause, and
- Propose to disqualify you from future CACFP participation.

Program payments continue during the corrective actions period

Voluntary termination will result in provider being terminated for cause and placed on the National Disqualified List.

If serious deficiencies are not corrected, the following measures shall be taken:

Notice of proposed termination/disqualification of provider shall be mailed out to corresponding provider and a copy of the SD notice will be forwarded to CDSS, NSD, and Program Integrity Unit (PIU). Notices shall propose that provider will be terminated for cause and be placed on the national disqualified list. In addition the basis for all actions taken shall be provided with procedures for appeal.

If placed on the National Disqualified list, providers shall remain on such status for a period of 7 ***years****.*

CORRECTIVE ACTION FOR SERIOUS DEFICIENCY

Corrective Actions Guidelines:

Upon receiving notice of serious deficiency, providers will be expected to submit an acceptable corrective action plan. Corrective Action Plan(CAP)must include:

1. Your full name, address, and date of birth.
2. The date ECCI conducted the monitoring visit to your facility.
3. **What** are the serious deficiency(ies) and the procedure that you will implement to prevent the serious deficiency(ies) from reoccurring in future?
4. **Who** will address the SD and be responsible to implement the Corrective Action Plan? List personnel responsible for this task.
5. **When** will the procedure for addressing the SD be implemented? Provide a timeline for implementing the procedure (i.e., will the procedure be done daily, weekly, monthly, or annually, and when will it begin)
6. **Where** will the Corrective Action Plan documentation be retained?
7. **How** will the staff and facility or provider be informed of the new policies and procedures (e.g. Handbook, training, website, etc.)?
8. Provider's signature and the signature date.

Providers will be given no more than 30 days to correct the Serious Deficiency.

If problems persist once a corrective action plan is written by the provider, a Notice of Proposed Terminate and Proposed Disqualification will be sent.

Upon Proposed termination of agreement, providers are given 15 calendar days to submit a written appeal.

Corrective Actions will result in either:

Temporarily Deferred of the serious deficiency determination, if the corrective action(s) are received in timely matter and follow up review indicates that findings has been corrected.

Proposed Terminate and Proposed Disqualification from CACFP, if the corrective action(s) are *not* received in timely matter and/or provider fails to permanently correct the findings.

XV. PROPOSED TERMINATION OF AGREEMENT PROCEDURE

If a provider fails to permanently correct the serious deficiency(ies) in the time allotted for corrective action or any time after the original SD notice has been deferred, a Notice of Proposed Termination and Proposed Disqualification will be sent to the provider with a proof of delivery. A copy of the notice will be forwarded to the PIU. The Notices shall contain the following:

- Reference to the SD notice and the reason why corrective action was not acceptable (or that the provider failed to submit a corrective action document within the time allotted)
- Provider has an opportunity for an administrative review and a copy of administrative review procedures will be provided.
- Termination of the provider's CACFP agreement will result in termination for cause and disqualification from the CACFP.
- Voluntary termination of the CACFP agreement after receipt of the proposed termination/disqualification notice will still result in the proposed disqualification
- Provider may continue to participate in the CACFP through the appeal deadline, or, if an appeal is requested, until the hearing officer issues a decision

If the provider submits a CAP to ECCI prior to or with a request for appeal, ECCI may consider the CAP. If ECCI determines that the CAP permanently corrects the SD findings, the ECCI may rescind the proposed termination and proposed disqualification actions and temporarily defer the SD determination.

If the request for appeal has been forwarded to ECCI's hearing officer, and the provider submits documentation to the hearing officer that the hearing officer identifies as an acceptable CAP, the hearing officer may refer the documentation back to ECCI for their review and approval. If ECCI accepts the provider's documentation, ECCI will notify the hearing officer in writing that ECCI accepts the provider's CAP. The hearing officer will then issue a letter to ECCI and the provider that dismisses the appeal.

If the hearing officer determines that ECCI's findings are unsubstantiated or, without input from ECCI, determines that the provider's CAP permanently corrects the SD, the hearing officer may make a determination to overturn ECCI's proposed actions. If the hearing officer determines that ECCI has properly implemented the SD process and the provider has not provided adequate proof to overturn the proposed actions, the hearing officer must uphold the proposed actions. A copy of the hearing official's decision will be sent to the PIU.

Temporary Deferral of Serious Deficiency, Proposed Termination, and Proposed Disqualification After Provider Wins Appeal

If the hearing official overturns ECCI's proposed termination and proposed disqualification actions, ECCI will issue one of the following:

- Temporary Deferral of Serious Deficiency, Proposed Termination, and Proposed Disqualification (after provider wins appeal)

- Temporary Deferral of Serious Deficiency, Suspension, Proposed Termination, and Proposed Disqualification: Imminent Threat to Health or Safety (after provider wins appeal)

A letter will be sent to the provider by using a method of delivery that confirms receipt and/or delivery of the notice, and a copy of the notice will be sent to the PIU.

Agreement Termination and Disqualification

If the provider does not submit a timely request for appeal, or if the hearing official upholds the sponsor's proposed actions, ECCI will immediately terminate the provider's agreement to participate in the CACFP and disqualify the provider from future CACFP participation. If the hearing official upholds the ECCI's proposed actions, ECCI will issue to the provider one of the following:

- Notice of Termination and Disqualification

- Notice of Termination and Disqualification: Imminent Threat to Health or Safety

The letter will be sent to the provider by using a method of delivery that confirms receipt and/or delivery of the notice, and a copy of the notice will be sent to the PIU.

The date of the termination and disqualification will be the date of the hearing official's decision.

If the provider did not request an appeal, ECCI will issue to the provider one of the following:

- Notice of Termination and Disqualification (following failure to appeal)

- Notice of Termination and Disqualification: Imminent Threat to Health or Safety (following failure to appeal)

The letter will be sent to the provider by using a method of delivery that confirms receipt and/or delivery of the notice, and a copy of the notice will be sent to the PIU. The effective date will be the day after the appeal deadline.

XVI. ECCI MONTHLY NEWSLETTERS

It is provider's responsibility to access and read ECCI's monthly Newsletters. Through the newsletters ECCI informs its providers of, but not limited to:

- Urgent due dates (Example: Mandatory annual training date, enrollment renewal submission due date),
- Updates in the CACFP
- Updates to the creditable processed foods list and tortilla list
- ECCI office closures
- Non-creditable holidays
- Food recipes
- Harvest of the month

Newsletters are available in Korean, English and Spanish and are posted in the beginning of the month in ECCI's website. To access ECCI's monthly newsletters, please visit

http://evergreencacfp.org/newsletters

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) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and 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.

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