

Management Standards for Nebraska Family Day Care Home Sponsors

Mission Statement:

To promote quality nutrition and child care through financial and educational support in family child care homes while maintaining Child and Adult Care Food Program integrity

Nutrition Services
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Introduction

Motivated by tiering and integrity issues as well as ongoing recruitment disputes, the Nebraska CACFP sponsors began working together in 1998 to turn the USDA Management Improvement Guidance into Management Standards for Nebraska sponsors. The Nebraska Department of Education Nutrition Services supported this effort by supplying outside facilitators, satellite links and phone links, insights from the state agency perspective and a compilation of agreed upon standards in readable form.

The group started this effort by:

1) Developing a mission statement:

To promote quality nutrition and child care through financial and educational support in family child care homes while maintaining Child and Adult Care Food Program integrity.

2) Agreeing on the following definitions:

Quality child care: Child care provided in an environment which promotes learning and growth. This includes a safe, nurturing, caring/loving environment, developmentally appropriate practices and promotes healthy eating and good nutrition.

Program Integrity: Ability to provide quality services to the customer while adhering to the group values and governing regulations.

3) Defining a workable set of values:

- Honesty
- Responsibility
- Customer service
- High integrity
- Respect
- Genuine love for children
- Professionalism
- Conscientious adherence to CACFP regulations
- Accountability
- Cooperation
- Commitment to nutrition

The group openly shared individual sponsors' strengths as well as weaknesses. They strived to set standards that are reachable, measurable and focus strongly on program integrity. By sharing ideas, strategies, policies and procedures, the Nebraska sponsors have created a basis of standards which will serve to assist in developing a statewide quality assurance plan.

The process involved monthly meetings over a 10-month period. Each sponsor was represented by only one or two staff with the same staff attending whenever possible. The toughest issue, recruitment, was tackled first. This gave the group experience in agreeing to disagree, and in consensus building. After several months, the state recruitment policy was established. The group then moved on to other standards, such as monitoring, fiscal responsibility, governing board, training and application. The standard agreement between sponsors and providers was revised. Other standards were reviewed by the group. Some of these standards were altered slightly or left as they were originally written.

Working together, one standard at a time, the group intends to share knowledge to improve integrity, training and program quality overall. The children and their nutritional needs must remain the true motivation for

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sponsoring this program, with the realistic understanding that abuse of federal funds will cause the elimination of the program. With team work, the sponsors can assist one another in learning ways to detect and respond to problems promptly.

The Nebraska quarterly sponsors meetings can also become a forum for grievances should this become necessary. Sponsors must first show honest effort to discuss problems with the sponsor in question. If resolution is not possible between individual sponsors, a grievance procedure will be implemented.

Nebraska sponsors are proud of the effort given to this process. The experience has been both fulfilling and educational. The ongoing process promises to lead to the CACFP serving children in the best way possible in Nebraska.

Adapted from an article written by Jeany Morton, former CACFP Coordinator, Family Service of Omaha

Standard 1: Organizational Management

Sponsor effectively manages program to achieve desired standards and outcomes.

- 1.1 **Governing Board.** Governing board provides adequate program oversight.
- 1.2 **Recruitment.** Sponsor recruitment practices provide eligible children access to program benefits.
- 1.3 **Tiering Classification.** Sponsor accurately classifies child care homes as Tier I/Tier II and properly maintains documentation in support of determinations.
- 1.4 **Application.** Valid and complete Sponsor and child care home applications are maintained.
- 1.5 **Training.** Sponsor trains staff and providers to operate the program proficiently.
- 1.6 **Monitoring.** Sponsor monitors providers' compliance with program requirements.
- 1.7 **Staffing.** Sponsor has adequate staff to operate the program.
- 1.8 **Policies and Procedures.** Sponsor has written policies and procedures for program operation.
- 1.9 **Civil Rights.** Sponsor complies with civil rights requirements.
- 1.10 **Record keeping.** Sponsor has record keeping practices to meet program requirements.

Standard 1: Organizational Management

Sponsor effectively manages program to achieve desired standards and outcomes.

1.1 Governing Board. Governing board provides adequate program oversight. (federal tax-exempt not-for-profit organizations).			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.1.1. Sponsor has a governing body that meets applicable Federal and State statutes and regulations.	Sponsor can demonstrate that it operates for public purposes rather than private benefit.		<p>State agency action</p> <p>Provides resource list to Sponsor about boards e.g., Internal Revenue Service Exempt Organizations handbook, National Charities Information Bureau – Standards in Philanthropy, other information on nonprofit board membership and responsibilities.</p>
<p>1.1.2 The board is responsible for policy setting, fiscal guidance and ongoing governance.</p> <p>The board regularly reviews the organization’s policies, programs, budgets and operations.</p>	The board does not vote on decisions relating to its own compensation (or that of a relative) and is otherwise independent and accountable; approves decisions about compensation of employees and other parties providing services; and meets the performance standard with respect to policy, fiscal management and operational oversight.		<p>Sponsor action</p> <p>Board members and/or Sponsor staff attend training on nonprofit board membership.</p> <p>State agency action</p> <p>Provides resource list to Sponsor on boards e.g., Internal Revenue Service Exempt Organizations handbook, National Charities Information Bureau – Standards in Philanthropy, other information on nonprofit board membership and responsibilities. Refers Sponsor to IRS, if necessary.</p> <p>If board oversight is faulty or missing, the State Agency declares the Sponsor seriously deficient and terminates Sponsor if corrective action is not taken after an agreed upon time frame.</p>

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1.1 Governing Board. Governing board provides adequate program oversight. (federal tax-exempt not-for-profit organizations).			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.1.3 Decisions are documented in board minutes which are maintained and available for review by the State Agency, on request.	Sponsor provides board minutes for review by State Agency, as requested.		Sponsor Action Sponsor keeps board minutes and provides them to State Agency as requested.
1.1.4. The board is composed primarily of members of the community.	The board is composed of a majority of members of the community who are not financially interested in its activities, and are not related to its personnel or to each other.		Sponsor Action Sponsor's governing board will recruit members of the community who are not financially interested in its activities, and are not related to its personnel or to each other.
1.1.5 The board is knowledgeable about the program.	At least one board member has attended training conducted by the State Agency at the request of the Sponsor.		Sponsor Action Board member and Sponsor representative attend training or class on program regulations conducted by the State Agency.
1.1.6. All of the above ¹			State Agency Action Denies application for Sponsor that fails to demonstrate that it meets standards and fulfills requirements.

¹ *All of the Above* refers to a statement that applies to all standards listed in the same numerical section.

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1.2 Recruitment. Sponsor recruitment practices provide eligible children access to program benefits.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.2.1. Sponsor adheres to the Recruitment Policy established by Nebraska Sponsors.	Sponsor's recruitment practices comply with the Recruitment Policy established by Nebraska Sponsors.	<p>Sponsor's management plan includes the current Recruitment Policy.</p> <p>Sponsor staff demonstrate knowledge of the Recruitment Policy.</p> <p>Sponsor allows other Sponsor's providers to attend training on a space available basis.</p>	<p>Sponsor Action</p> <p>Educate staff on Recruitment Policy.</p> <p>Communicate openly with other Sponsors.</p> <p>Establish mentoring relationship with another Sponsor.</p> <p>Participate in peer counseling among Sponsors.</p> <p>State Agency Action</p> <p>Provide technical assistance.</p>
1.2.2. Existing Sponsor can request a change in geographic area from the State Agency.	Changing geographic area occurs only with the approval of the State Agency. This decision will be based on whether the Sponsor has sufficient resources (funds and personnel) to serve additional counties.	<p>Sponsor's management plan has identified geographic service area.</p> <p>Any changes to Sponsor's geographic area has been approved by the State Agency.</p>	
1.2.3 Potential Sponsor can document that a minimum of 50 eligible/non-participating child care homes exist in the area it proposes to serve.	Potential Sponsor is able to assess and determine the need for the CACFP in the area it proposes to serve and has staff with the skills and abilities to write an effective outreach plan.	The number of eligible child care homes in the area the Sponsor proposes to serve is compared to the number of child care homes currently participating in the CACFP with existing Sponsor in that area.	<p>State Agency Action</p> <p>Denies approval of Sponsor where children and providers in the target service area are already receiving program benefits, where there is already sufficient Sponsor choices to ensure service, or where the Sponsor will not be financially viable.</p>

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1.3 Tiering Classification. Sponsor accurately classifies child care homes as Tier I/Tier II and properly maintains documentation in support of determinations.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.3.1. Sponsor accurately classifies child care homes/child as Tier I/Tier II.	Sponsor staff demonstrate the ability to determine Tier I/Tier II classification.	Percentage of child care homes correctly classified as Tier I/Tier II.	<p>Sponsor Action</p> <p>Develops or revises written operational policies and procedures.</p> <p>Conducts staff training in areas where weaknesses are identified.</p> <p>Corrects all incorrect classifications of child care homes and children.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of areas of noncompliance. Gives opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

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1.3 Tiering Classification. Sponsor accurately classifies child care homes as Tier I/Tier II and properly maintains documentation in support of determinations.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.3.2. The Sponsor correctly applies the guidance concerning the use of school and/or census data to document the eligibility of all Tier I child care homes.	Sponsor has a system to track recertification dates for Tier I child care homes/children.	Percentage of children in Tier II child care homes correctly classified as eligible for Tier I rates.	<p>Sponsor Action</p> <p>Develops or revises written operational policies and procedures.</p> <p>Conducts staff training in areas where weaknesses are identified.</p> <p>Corrects all incorrect classifications of child care homes and children.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

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1.3 Tiering Classification. Sponsor accurately classifies child care homes as Tier I/Tier II and properly maintains documentation in support of determinations.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>1.3.3. For Tier II child care homes, the Sponsor:</p> <ul style="list-style-type: none"> • informs providers of options for establishing eligibility for children under the Tier I rate, and the method for claiming meals served to Tier I children; and • at the provider’s request, determines eligibility of enrolled children for Tier I reimbursement rates and maintains income eligibility documentation. <p>The Sponsor determines eligibility of income eligible children in Tier II child care homes accurately.</p>	<p>Sponsor can accurately determine income eligible children in Tier II child care homes.</p>	<p>Percentage of Tier I child care homes for which recertification was completed on a timely basis.</p>	<p>Sponsor Action</p> <p>Develops or revises written operational policies and procedures.</p> <p>Conducts staff training in areas where weaknesses are identified.</p> <p>Corrects all incorrect classifications of child care homes and children.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides an opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

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1.3 Tiering Classification. Sponsor accurately classifies child care homes as Tier I/Tier II and properly maintains documentation in support of determinations.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.3.4. Sponsor accurately, and on a regular basis, processes information to classify Tier I/Tier II child care homes.	Sponsor staff is knowledgeable of its policy on Tier I/Tier II day care home classifications.	Percentage of child care homes properly classified.	<p>Sponsor Action</p> <p>Sponsor improves classification of Tier I/Tier II child care homes.</p> <p>State Agency Action</p> <p>Denies application for participation for a potential Sponsor that fails to demonstrate that it has the skills and a system to meet standards and fulfill requirements.</p>
<p>1.3.5. Sponsor maintains support documentation for Tier I/Tier II classifications to include:</p> <ul style="list-style-type: none"> • documentation of Tier I day care home eligibility (based on school and/or census area or provider income data), • total number of Tier I child care homes and the number of children enrolled, and • total number of Tier II child care homes, the number of children enrolled and the number of children identified as eligible for Tier I reimbursement. 		Ability to demonstrate or retrieve data to support classification by school and/or census, or household income.	<p>Sponsor Action</p> <p>Sponsor improves documentation of Tier I/Tier II child care homes.</p>
1.3.6. Sponsor maintains confidentiality regarding eligibility information which qualifies children for meals at Tier I rates in a Tier II day care home.		Number of child care homes in which Sponsor has inappropriately shared children's eligibility information with providers.	

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1.4 Application. Valid and complete Sponsor and child care home applications are maintained.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>1.4.1. Sponsor maintains valid and accurate information and materials on site including:</p> <ul style="list-style-type: none"> • applications and signed agreements from child care homes under the Sponsor’s jurisdiction • documentation of licensure/approval for child care homes • management plan and budget (management plan includes information on staffing, training, monitoring, system to be used to make Tier I day care home classifications and system to be used to notify Tier II day care home providers of their reimbursement options). • documentation of nonprofit status and information about governing board, if applicable • annual enrollment information on all children • support documentation for Tiering classification, • eligibility information on day care home providers’ own children, if applicable, and children in Tier II homes for whom meals are claimed at Tier I rates. • nondiscrimination policy statement. • documentation of 	<p>Sponsor staff can evaluate site eligibility and complete accurate and valid application materials.</p> <p>Sponsor can prepare management plan that supports the proposed level of operations.</p> <p>Sponsor has adequate office facilities, equipment and resources to support Sponsor administrative staff.</p>	<p>Completeness and validity of all Sponsor application materials and timeliness of submission to the State Agency.</p> <p>Number and proportion of day care home applications that are valid and complete.</p>	<p>Sponsor Action</p> <p>Sponsor improves maintenance of information and materials on site.</p> <p>State Agency Action</p> <p>Provides technical assistance to new or existing Sponsor regarding maintenance of information and materials on site.</p> <p>Technical assistance may include:</p> <ul style="list-style-type: none"> • guidance, • staff training, • consultation, and/or • resources. <p>Requires a potential Sponsor that was formerly a Sponsor with problems to demonstrate that previously identified problems have been corrected.</p>

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1.4 Application. Valid and complete Sponsor and child care home applications are maintained.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>compliance with civil rights requirements</p> <ul style="list-style-type: none"> • Part II of Provider/Sponsor Agreement 			
<p>1.4.2. Sponsor submits accurate and valid application and agreement materials to the State Agency in accordance with requirements and prescribed time frames, including:</p> <ul style="list-style-type: none"> • management plan and budget (management plan includes information on staffing, training, monitoring, payment system to be used to make Tier I day care home classifications and system to be used to notify Tier II day care home providers of their reimbursement options) • documentation of licensure/approval for each day care home, • nondiscrimination policy statement, • documentation of compliance with civil rights requirements • Part II of Provider/Sponsor agreement <p>Sponsor submits accurate and valid data to the State Agency when adding new child care homes to its Sponsorship.</p>			<p>Sponsor Action</p> <p>Sponsor provides necessary materials.</p> <p>State Agency Action</p> <p>Provides technical assistance to new or existing Sponsor to assist in the preparation of application materials.</p> <p>Technical assistance may include;</p> <ul style="list-style-type: none"> • guidance, • staff training, • consultation, and/or • resources. <p>Requires an existing Sponsor with weaknesses in its application to prepare a written corrective action plan.</p>

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1.5 Training. Sponsor trains staff and providers to operate the program proficiently.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>1.5.1. Sponsor conducts adequate training for providers prior to participation in the program and during the first year of program operation.</p> <p>At least annually, the Sponsor conducts or sponsors training/ technical assistance for providers on all aspects of program operations, e.g., menu planning, types and amounts of food to serve, meal counts, nutrient content of foods, and food safety and sanitation, record keeping, program regulations.</p>	<p>Sponsor provides sufficient orientation, annual training and ongoing review so providers are fully trained in program operations and requirements.</p> <p>Sponsor participates in State Agency training and meetings related to program operations.</p>	<p>Number and proportion of Sponsor’s providers in review month sample that participated in CACFP related training that included minimum training content in the prior year.</p> <p>Minimum training content must include:</p> <ul style="list-style-type: none"> • CACFP meal pattern • reimbursement process • accurate meal counts • claims submission • record keeping 	<p>Sponsor Action</p> <p>Offers effective, appropriate training, resources and technical assistance to Sponsor staff as needed, including how to:</p> <ul style="list-style-type: none"> • conduct training, • complete needs assessment, • follow adult education principles, • offer range of approaches for presenting program information and resources to providers, e.g., newsletters, • provide learning activities for children to reinforce nutrition concepts. <p>Improves logistics of training offerings to be more responsive to providers’ needs.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

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1.5 Training. Sponsor trains staff and providers to operate the program proficiently.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>1.5.2. New staff of the Sponsor are trained on all aspects of the program as noted below during the first three months of employment.</p> <p>At least annually, the Sponsor conducts or provides and documents effective training on all aspects of program operations for all Sponsor staff, e.g., financial management, recruitment, operational procedures, personnel policies, monitoring, meals and nutritional supplements.</p> <p>Minimum training content must include:</p> <ul style="list-style-type: none"> • CACFP meal pattern • reimbursement process • accurate meal counts • claims submission • record keeping 	<p>Sponsor provides sufficient orientation, training and ongoing review so Sponsor staff are fully trained in program operations and requirements.</p> <p>Sponsor participates in State Agency training and meetings related to program operations.</p>		<p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

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1.6 Monitoring. Sponsor monitors providers' compliance with program requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.6.1. Sponsor collects required information on home visit monitoring forms.	<p>Sponsor collects the following required information during home monitoring visits:</p> <ul style="list-style-type: none"> • Meal Date • Announced/Unannounced • Meal Observed • Meal Style (family style/semi-family style, pre-plated) • Time Visit Started, Ended • Provider Name, Signature • Number Claimed this Meal • Names and Number of Children present • Foods Served (by component), both regular and infant • Deductions if applicable • Check Attendance/Meal Count Form, available and current • 5-day reconciliation of meal counts • Check for Complete Menus (must have all components) • License Type, Date, Capacity • Comments on health & safety issues, if applicable. • Training Information (date, last attended and/or upcoming workshop) • Materials Given • Corrective action of prior problems, if any • Comments • Sponsor Staff signature 	The Sponsor's home visit monitoring forms contain specified required items.	<p>Sponsor Action</p> <p>Revise home visit monitoring forms and procedures to include required information items listed in column 2.</p> <p>State Agency Action</p> <p>Reviews home monitoring forms for inclusion of required information.</p> <p>Reviews home visit monitoring forms for documentation of the required information.</p>
1.6.2. Sponsor conducts timely monitoring to ensure that providers meet program requirements.	Sponsor demonstrates that it has a sufficient number of staff who are adequately trained to:	Percentage of sample providers for whom all required monitoring visits have been conducted.	<p>Sponsor Action</p> <p>Ensures that staff conduct the correct number and type of visits</p>

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1.6 Monitoring. Sponsor monitors providers' compliance with program requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>One visit will be conducted within the first four weeks that a provider participates with the Sponsor.</p> <p>At least three monitoring visits are conducted each year, unless the Sponsor is averaging reviews according to 7 CFR 226.16 and has incorporated its plan for averaging reviews in its management plan.</p> <p>Monitoring visits are no more than six months apart.</p> <p>Averaging of required reviews is permitted by 7 CFR 226.16 if the Sponsor has included a system for average reviews in its management plan and it is approved by the State Agency. July shall be used as the base month for determining numbers for averaging.</p> <p>At least 2 monitoring visits per year are conducted during meal times.</p> <p>Monitoring visits included a sample of meal types claimed by provider, including evening and weekend meals as applicable.</p> <p>At least two monitoring visit per year are</p>	<ul style="list-style-type: none"> • conduct the required number of completed monitoring visits • conduct announced and unannounced monitoring visits. 		<p>in a timely manner.</p> <p>Evaluation of staff patterns and staff training needs.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of non-compliance. Provides opportunity for Sponsor to correct problem. Continued non-compliance may require a determination of seriously deficient with termination if corrective action is not taken within an agree upon time frame.</p>

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1.6 Monitoring. Sponsor monitors providers' compliance with program requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>conducted with no prior contact or warning to the provider. This is called an unannounced visit.</p> <p>At least one unannounced visit must include the observation of a meal service.</p> <p>Monitoring visits are documented.</p>			
1.6.3. All of the above ¹			<p>State Agency Action Denies application for participation for potential Sponsor that fails to demonstrate that it has staff with the skills and a system to meet standards and fulfill requirements.</p>
<p>1.6.4 Sponsor conducts complete and thorough monitoring visits.</p> <p>Follow-up visits are conducted as needed when problems are noted.</p> <p>Appropriate disallowances are made in claims for meal reimbursement when findings require such action.</p> <p>Sponsor disallows meals if menus and meal counts are not recorded within 24 clock hours of meal service (grace period).</p> <p>If the participating provider is not available and there is:</p> <p>1. A substitute provider taking his/her place in the child care home</p>	<p>Sponsor demonstrates that it has a sufficient number of staff who are adequately trained to conduct complete and thorough monitoring visits.</p> <p>Sponsor demonstrates that it has a sufficient number of staff who are adequately trained to identify problems and work with providers for corrective action.</p>	<p>When problems are identified, action is taken and documented, such as: fiscal action, corrective action, tracking of follow up and improvement or lack thereof, and termination process as applicable.</p>	<p>Sponsor Action</p> <p>Evaluation of staffing patterns and staff training needs.</p> <p>Sponsor staff are trained in procedures for a complete and thorough monitoring visit.</p> <p>Provides additional monitoring and on-site training to providers who do not comply with requirements. Conducts more unannounced visits of these providers.</p> <p>Uses problems noted during monitoring and provider interest areas to determine training needs of providers, and offers resources and individual or group training in these areas as appropriate.</p> <p>State Agency Action</p>

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1.6 Monitoring. Sponsor monitors providers' compliance with program requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>And</p> <p>2. The substitute provider is caring for children enrolled in the child care food program, Then</p> <p>3. The participating provider will receive the same disallowances if the substitute provider cannot locate the food program menus or if the menus and meal counts are not recorded within 24 clock hours of meal service.</p> <p>(adopted November 20, 2002)</p> <p>Sponsor compares home visit monitoring forms with claims to be sure deductions are made as applicable.</p>			<p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued non-compliance may require a determination of seriously deficient if corrective action is not taken within an agreed upon time frame.</p>
<p>1.6.5. Sponsor reviews monthly documents to support meal claims.</p>	<p>Sponsor demonstrates that it has a sufficient number of staff who are adequately trained to review monthly documents to support meal claims.</p>	<p>Percentage of correct meal claims found at Sponsor's Administrative Review.</p>	<p>Sponsor Action</p> <p>Sponsor evaluates staffing patterns and training needs.</p> <p>Sponsor reviews and revises procedures to assure monthly meal claim documents are reviewed correctly.</p>
<p>1.6.6. Parents/households are contacted when problems indicate the need to verify meal claims or the quality of meals.</p>	<p>Parents may be contacted when (but not limited to):</p> <ul style="list-style-type: none"> • monthly claims show no absences • evening, weekend or holiday meals are routinely claimed • complaints are received about meals or care related to CACFP participation • number of meals claimed does not match observed attendance 	<p>Sponsor maintains documentation of parent contacts</p>	<p>Sponsor Action</p> <p>Sponsor reviews and revises procedures to assure parents are contacted appropriately.</p>

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1.6 Monitoring. Sponsor monitors providers' compliance with program requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.6.7. Sponsor reports to proper local and/or state authorities as required by State and/or local law when they observe that the health and/or safety of children is threatened in the home.	Sponsor has staff trained to recognize certain violations (e.g., imminent danger, over licensed capacity), follow procedures to take action when appropriate and report to proper authorities in a timely manner, as needed.	Sponsor documents that proper authorities are contacted as required.	<p>Sponsor Action</p> <p>Immediately notifies proper authorities when imminent danger is suspected or present.</p> <p>When a provider has a high number of violations observed or reported, the Sponsor refers the provider to the appropriate resource for training and/or technical assistance (e.g., referral to child care resource and referral agency, community or technical college, university child development course or conference, child care regulatory unit).</p>
1.6.8. All of the above ¹			<p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p>

¹ *All of the Above* refers to a statement that applies to all standards listed in the same numerical section.

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1.7 Staffing. Sponsor has adequate staff to operate the program.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.7.1. Sponsor has sufficient qualified staff to perform all administrative functions that support program operations in a timely manner.	<p>Sponsor has adequate number and type of staff for the size of the organization and the services provided.</p> <p>Sponsor has staff who can successfully complete all job duties in program training, monitoring and record keeping requirements as demonstrated through experience, formal skills or training.</p>	<p>Number and type of staff compared to the number of child care homes.</p> <p>Sponsor allows timely completion of administrative duties as well as quality services to providers.</p>	<p>Sponsor Action</p> <p>Sponsor will reassign duties or hire additional staff in order to complete administrative duties or provide quality services to providers.</p> <p>Conducts staff training in areas where weaknesses are identified and documents the steps taken.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>
1.7.2. Sponsor has an established personnel system which is appropriate for the size of the organization.	<p>Sponsor will develop a system for screening potential employees. This may include, but is not limited to:</p> <ul style="list-style-type: none"> • Child abuse registration check • Criminal history check • Self declaration • Drug testing 	<p>System is in place for screening potential employees.</p>	<p>Sponsor Action</p> <p>Develops or revises screening and written personnel policies and procedures as needed.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p>

Standard 1: Organizational Management

Sponsor effectively manages program to achieve desired standards and outcomes.

1.7 Staffing. Sponsor has adequate staff to operate the program.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.7.3. Sponsor has job descriptions that clearly delineate job duties and outlines qualifications for each position/staff member.			<p>Sponsor Action</p> <p>Develops or revises written job descriptions as needed.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p>
1.7.4. Sponsor does routine appraisals on each staff member's performance.		Performance appraisals completed for each employee according to agency personnel policy.	<p>Sponsor Action</p> <p>Develops or revises written job descriptions as needed.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p>
1.7.5. Sponsor employs the minimum full time equivalent (FTE) of staff assigned to monitoring duties, in accordance with 7 CFR 226.16 (b)(1) and the Nebraska Staffing Factors. (adopted May 23/2006)	Sponsor meets or exceeds the minimum FTE required for monitoring.	Minimum FTE for monitoring is documented in the staff profile section of the Sponsor's management plan and is supported by payroll and/or time certification documentation.	<p>Sponsor Action</p> <p>Develops or revises written job descriptions and staff profiles as needed.</p> <p>State Agency Action</p> <p>Requires Sponsor to meet the minimum FTE requirement for monitoring.</p>

Standard 1: Organizational Management

Sponsor effectively manages program to achieve desired standards and outcomes.

1.8 Policies and Procedures. Sponsor has written policies and procedures for program operation.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.8.1. Sponsor has written operational policies and procedures in place for correctly performing required general administrative duties, including, but not limited to, monitoring, tiering, record keeping, training, financial management and procurement.	Sponsor demonstrates that it has adequate procedures and policies in place to effectively perform administrative duties required by State Agency.	<p>Number of findings in State Agency review of Sponsor that are related to inadequate policies and procedures.</p> <p>Sponsor uses policies and procedures that ensure that all specific requirements related to CACFP regulations as listed on the current State Agency Administrative Review Form are met.</p>	<p>Sponsor Action</p> <p>Develops or revises written operational policies and procedures.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

Standard 1: Organizational Management

Sponsor effectively manages program to achieve desired standards and outcomes.

1.9 Civil Rights. Sponsor complies with civil rights requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.9.1 Sponsor offers the program to all providers equally regardless of race, color, national origin, gender, age, disability.	<p>Sponsor demonstrates understanding of civil rights requirements and application materials.</p> <p>Sponsor documents compliance with civil rights requirements.</p>	<p>Sponsor has required civil rights poster visible in office.</p> <p>Sponsor annually collects required civil rights data.</p> <p>No civil rights complaints have been filed against the Sponsor.</p>	<p>Sponsor Action</p> <p>Sponsor displays poster and collects data as required.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>
<p>1.9.2 The Sponsor provides a notice to parents that informs them of their facility's participation in CACFP, the Program's benefits, the name and telephone number of the sponsoring organization, and the name and telephone number of the State agency responsible for administration of CACFP.</p> <p>(adopted May 23, 2006)</p>		<p>The Sponsor has on file a copy of its notice to parents, in a form and, to the maximum extent practicable, language easily understandable by the participant's parents or guardians.</p>	<p>Sponsor Action</p> <p>Sponsor develops and distributes notice to parents.</p> <p>State Agency Action</p> <p>Requires Sponsor to complete corrective action by developing and distributing notice to parents.</p>

Standard 1: Organizational Management

Sponsor effectively manages program to achieve desired standards and outcomes.

1.10 Record keeping. Sponsor has record keeping practices to meet program requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.10.1 Records are maintained for required time periods to document all required items, including, but not limited to: monitoring, staffing patterns, board meetings, training conducted and all records in support of claims for reimbursement including menus, meal counts, enrollment documentation of Tier I eligibility (to include school data, census data, income eligibility forms for providers and verification results, and income eligibility forms for provider’s own children) and income eligibility forms and/or documentation of categorical eligibility for children in Tier II child care homes claimed at the Tier I rate.	Sponsor has filing system that maintains required records in an accessible manner for required time periods.	<p>Number of audit/review findings due to missing records to support program operations or claims.</p> <p>Number of audit/review findings due to missing records to support Tier I eligibility for child care homes and children in Tier II child care homes.</p>	<p>Sponsor Action</p> <p>Sponsor improves record keeping and/or filing policies and procedures.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

Standard 1: Organizational Management

Sponsor effectively manages program to achieve desired standards and outcomes.

1.10 Record keeping. Sponsor has record keeping practices to meet program requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
1.10.2 Eligibility information concerning individual households is not shared with providers, and is restricted to those persons directly connected with the administration and enforcement of CACFP.	Sponsor has a system to ensure that eligibility information concerning individual households is confidentially maintained.		<p>Sponsor Action</p> <p>Sponsor improves confidentiality policies and procedures.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

- 2.1 **Sponsor Budget.** Sponsor plans necessary and reasonable budget.
- 2.2 **Fiscal Responsibility.** Sponsor's financial system and management controls assure fiscal responsibility.
- 2.3 **Claim Processing.** Sponsor processes claims accurately and in a timely manner.

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.1 Sponsor Budget. Sponsor plans necessary and reasonable budget.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
2.1.1. Administrative costs included in the budget to manage the program are necessary and reasonable and budget conforms to State Agency financial management system based on 7 CFR part 226 (CACFP regulations), FNS Instruction 796-2 Revision 2 and all documents referred to in that Instruction.	Sponsor demonstrates that it has sufficient staff with the skills necessary to formulate and execute an administrative budget.	Sponsor submits a budget that meets the standards and supports program objectives on time.	Sponsor Action Sponsor revises budget and related procedures as needed.
2.1.2. The budget is an accurate reflection of annual operations.		The Sponsor's budget amending process considers year-to-date expenditures, anticipated expenses under its management plan and anticipated revenue sources.	Sponsor Action Sponsor establishes procedures for accurate budget amendments.
2.1.3. Sponsor has procedures and systems in place to ensure adequate financial controls, e.g., tracking expenditures, reconciling actual expenditures to budgeted amounts at appropriate intervals, analyzing program operations.	Sponsor submits budget revisions as needed.	The Sponsor uses a system to track actual expenditures against the approved budget.	Sponsor Action Sponsor establishes or revises procedures for financial control.

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.2 Fiscal Responsibility. Sponsor’s financial system and management controls assure fiscal responsibility.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
2.2.1. Sponsor submits a management plan which includes detailed information on the administrative budget and system which will be used to administer the program, disburse payments to providers under its jurisdiction.	Sponsor demonstrates it has established administrative and financial management controls.		<p>Sponsor Action</p> <p>Develops or revises written operation policies and procedures.</p> <p>State Agency Action</p> <p>Requests Sponsor to submit a revised management plan if necessary.</p> <p>Provides training, technical assistance and/or guidelines as needed.</p>
2.2.2. Sponsor maintains a financial management and record keeping system that ensures fiscal integrity and accountability for all funds and property received, held and disbursed, e.g., costs, including shared costs, are adequately documented; necessary and reasonable for proper and efficient administration of the program; allowable under the State Agency’s financial management system; properly allocated within the approved budget and property is protected and used solely for authorized purposes.	<p>Sponsor demonstrates that it has a sufficient and well-trained staff to operate a financial management system and a board that is accountable in its direction.</p> <p>Sponsor demonstrates that it has an acceptable financial management system and adheres to federal and applicable state financial management standards.</p>	<p>Independent audit reports, audited financial statements and/or program reviews do not identify insolvency or indicate other serious problems (see 7 CFR 226.6 (c) (1-11).</p> <p>Sponsor submits request for payments for expenditures that conform to the Sponsor’s approved budget.</p> <p>Proportion of costs disallowed through audits and reviews compared to claimed administrative costs.</p>	<p>Sponsor Action</p> <p>Develops or revises written operation policies and procedures.</p> <p>Conducts financial management training in areas where weaknesses were identified.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.2 Fiscal Responsibility. Sponsor’s financial system and management controls assure fiscal responsibility.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
2.2.3. The accounting system in place ensures administrative costs incurred by the Sponsor are allowable and included in approved budget; advance payments, if applicable, which exceed the amount earned for eligible meals are returned to the State Agency; and costs are consistently treated either on an accrual or cash basis.		Maintains appropriate records on administrative costs and advance payments. Records correctly reflect either cash or accrual method as initially agreed upon by Sponsor and State Agency.	Sponsor Action Improves record keeping to correctly document costs by cash or accrual method.
2.2.4. Written operational policies and procedures to implement the financial management system exist and accurately reflect federal regulations, and federal and state policies.			Revises policies and procedures so financial management system accurately reflects federal regulations, and federal and state policies.

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.2 Fiscal Responsibility. Sponsor’s financial system and management controls assure fiscal responsibility.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
2.2.5. All of the above ¹			<p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines.</p> <p>Notifies the Sponsor of the areas of non-compliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p> <p>Denies a Sponsor request for advance funds, or all or part of the claim for reimbursement.</p> <p>Denies a Sponsor application to participate in the program, or, if applicable, start-up funds.</p>

¹ *All of the Above* refers to a statement that applies to all standards listed in the same numerical section.

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.3 Claims Processing. Sponsor processes claims accurately and in a timely manner.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>2.3.1. Sponsor selects claiming method (actual counts, claiming percentages, blended rates) and determines reimbursement payments for all Tier II mixed child care homes. If applicable, Sponsor establishes claiming percentages and/or blended per meal rates of reimbursement of each child care home every six months.</p>	<p>Sponsor staff follows its policy for recalculating claiming percentages or blended rates for Tier II child care homes.</p>	<p>Percentage of claiming percentage/blended rates sample that are correctly calculated.</p>	<p>Sponsor Action</p> <p>Sponsor revises policies and/or recalculates as needed.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>
<p>2.3.2. Sponsor makes payments to approved providers based on the number of meals served by type (breakfast, lunch/supper, supplement) and category (Tier I and II) to enrolled children at each child care home at the appropriate rate. Such a system should ensure:</p> <ul style="list-style-type: none"> • reimbursement is only claimed for child care homes that have entered into a written agreement with the Sponsor. • provider claims for ineligible meals are denied. 	<p>Sponsor demonstrates that it has adequate payment procedures and financial controls (e.g., sufficient claim edits, payments restricted to eligible meals) for processing provider payments.</p>	<p>Percentage of providers in review month sample who were reimbursed based on claims that met all standards.</p>	<p>Sponsor Action</p> <p>Sponsor improves policies and assures compliance to them so all reimbursed providers are enrolled and all meals are eligible.</p> <p>State Agency Action</p> <p>Provides technical assistance, staff training, consultation and/or resources to Sponsor on claims processing.</p> <p>If necessary, denies Sponsor application for start-up payments, advance funds, or all or part of the claim for reimbursement.</p>

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.3 Claims Processing. Sponsor processes claims accurately and in a timely manner.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>2.3.3. Sponsor is accurate and on time in processing complete claims.</p> <p>There shall be a two-day delay from the Nebraska Department of Education Electronic Funds Transfer date for checks and a three-day delay for direct deposit. (adopted August 24, 2004)</p>	<p>Sponsor demonstrates that it has sufficient trained staff that follow established procedures for processing provider payments accurately.</p>	<p>Proportion of claims Sponsor submits that are complete, accurate, and on time.</p> <p>If applicable, number of times in a 12-month time frame that claims for reimbursement are submitted late to the State Agency.</p>	<p>Sponsor Action</p> <p>Sponsor improves claim processing procedures as needed.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continued noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.3 Claims Processing. Sponsor processes claims accurately and in a timely manner.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
2.3.4. Sponsor is accurate and disburses payments to providers according to its management plan.	Documentation concerning the dates and amounts of disbursements to each provider is maintained and reconciled on a regular basis.	<p>Proportion of payments to providers disbursed within five working days of receipt from the State Agency.</p> <p>Proportion of providers receiving full amount due.</p> <p>If applicable, number of provider reimbursement checks returned for insufficient funds in a 12-month period.</p>	<p>Sponsor Action</p> <p>Sponsor improves provider payment and documentation procedures as needed.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continue noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.3 Claims Processing. Sponsor processes claims accurately and in a timely manner.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
2.3.5. Sponsor has a system in place for detecting block claims for any continuous 15 day period within the claim month.	<p>Sponsor reviews claims for block claiming</p> <p>Sponsor conducts an unannounced review each time a facility submits a block claim.</p> <p>Additional follow-up block claim reviews are not required if the sponsor documents a valid reason for the block claim.</p> <p>Follow-up reviews are conducted within 60 days of detecting block claim.</p> <p>If the conduct of all required unannounced reviews within 60 days will impose unwarranted burdens on a sponsoring organization, the sponsor may request up to 30 additional days to complete the required unannounced reviews.</p>	<p>Proportion of block claims with follow-up unannounced reviews.</p> <p>Sponsor has documentation for block claims with valid reasons.</p>	<p>Sponsor Action</p> <p>Sponsor improves methods for detecting block claims and making follow-up reviews.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of noncompliance. Provides opportunity for Sponsor to correct problem. Continue noncompliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p> <p>If the State agency determines that the conduct of all required unannounced reviews within 60 days will impose unwarranted burdens on a sponsoring organization, the State agency may provide that sponsoring organization with up to 30 additional days to complete the required unannounced reviews.</p>

Standard 2: Financial Management

Sponsor expends and accounts for funds in accordance with regulatory requirements and sound financial management principles.

2.3 Claims Processing. Sponsor processes claims accurately and in a timely manner.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
2.3.6. All of the above ¹			<p>State Agency Action</p> <p>Based on identified weaknesses, provide technical assistance to Sponsor in the preparation of budget estimates and expenditure tracking including:</p> <ul style="list-style-type: none"> • guidance • staff training • consultation • and/or resources

¹ *All of the Above* refers to a statement that applies to all standards listed in the same numerical section.

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

- 3.1 **Meal Service.** Sponsor ensures that providers' meals meet meal pattern requirements.
- 3.2 **Nutrition.** Sponsor expects that providers' meals are moving toward compliance with the Dietary Guidelines for Americans and Food Pyramid recommendations.
- 3.3 **Licensing/Approval.** Sponsor ensures that child care homes meet licensing or approval requirements.
- 3.4 **Sanitation.** Sponsor ensures that providers use appropriate sanitation practices.
- 3.5 **Civil Rights.** Sponsor ensures that providers comply with civil rights requirements.
- 3.6 **Record keeping.** Sponsor ensures that providers complete and maintain program records.
- 3.7 **Claiming Meals.** Sponsor ensures that providers claim only eligible meals.

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.1 Meal Service. Sponsor ensures that providers' meals meet meal pattern requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.1.1. Sponsor ensures that providers serve meals to all participants in accordance with the meal pattern requirements specified in 7 CFR 226.20	Sponsor staff follow policies and procedures to evaluate provider's compliance with food service and nutrition standards, including compliance with meal pattern requirements.	Sponsor documents and retains a record of providers' disallowances for meal pattern violations.	<p>(for all items in column 1)</p> <p>Sponsor Action</p> <p>The Sponsor</p> <ul style="list-style-type: none"> • Trains its monitoring staff • Provides technical assistance to provider on-site. • Conducts training session for provider(s) off site. • Increases on-site monitoring visits of meal service to determine provider compliance if problems are noted. • Conducts unannounced visits • Evaluates in-office review of procedures and makes necessary improvements. <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as needed.</p> <p>Notifies the Sponsor of the areas of non-compliance. Provides opportunity for Sponsor to correct problem. Continued non-compliance may require a determination of seriously deficient with termination if corrective action is not taken within an agreed upon time frame.</p>
3.1.2. Sponsor reviews meals served by providers for the inclusion of creditable foods for all required components in appropriate quantities and textures for the ages of children being served.	<p>Sponsor staff understand and correctly evaluate provider's compliance with creditable foods list.</p> <p>Sponsor notifies provider of meal pattern errors and disallowances.</p>		
3.1.3. If applicable, Sponsor assures provider modifies meals to meet individual's required dietary modifications and special needs.	Sponsor reviews provider's written documentation for modified meals as applicable.		

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

<p>3.2 Nutrition. Sponsor expects that providers' meals are moving toward compliance with the <i>Dietary Guidelines for Americans</i> and <i>Food Pyramid</i> recommendations. This standard is recommended, not required.</p>			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>3.2.1. Sponsor expects providers to plan and serve meals with goal of:</p> <ul style="list-style-type: none"> • meeting appropriate food and nutrient standards and guides including the <i>Dietary Guidelines for Americans</i> and the <i>Food Pyramid</i>. • offering a variety of nutrients, textures, colors and temperatures • introducing new foods, and • providing good sources of vitamin A three times per week and good sources of vitamin C and iron daily. 	<p>Sponsor provides accessible nutrition training to all providers at least annually.</p>	<p>Sponsor demonstrates nutrition training of providers by (but not limited to):</p> <ul style="list-style-type: none"> • training records • newsletter • home visit monitoring forms • handouts 	<p>Sponsor Action</p> <p>Sponsor considers adding nutrition training sessions for staff and providers.</p> <p>State Agency Action</p> <p>Provides training, technical assistance and/or guidelines as requested.</p>

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.3 Licensing/Approval. Sponsor ensures that child care homes meet licensing or approval requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.3.1. Sponsor determines that providers meet license or approval requirements while participating in the CACFP.	<p>Sponsor has staff and system in place to verify license or approval requirements prior to approval.</p> <p>Sponsor has means to track expiring licenses and approvals and ensure that only licensed or approved child care homes participate.</p> <p>Sponsor has process to discontinue providers' participation if license/approval requirements are not met.</p>	<p>Percent of child care homes that have valid license or approval.</p> <p>Number and proportion of child care homes over capacity on meal claim form.</p>	<p>Sponsor Action</p> <p>Sponsor improves system for tracking licenses and approvals.</p> <p>State Agency Action</p> <p>Reviews system for tracking licenses and approvals, identifies weaknesses and provides consultation to improve system.</p>

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.3 Licensing/Approval. Sponsor ensures that child care homes meet licensing or approval requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.3.2. Sponsor assures that staff and providers are aware of the need to recognize signs of endangerment, abuse or neglect and to report instances to appropriate authorities.	Sponsor documents technical assistance given to providers and/or instances of reporting providers regarding endangerment of children in care.	Documentation of reporting available in provider records.	<p>Sponsor Action</p> <p>Sponsor trains staff to recognize overt licensing violations and signs of endangerment, abuse and neglect.</p> <p>Refers providers with a serious violation(s) observed or reported for assistance (e.g., referral to child care resource and referral agency, community or technical college, university child development course or conference, child care regulatory unit).</p> <p>State Agency Action</p> <p>If no data is collected, recommends Sponsor include this as part of monitoring and training staff on license or approval violations including how to notify appropriate authorities.</p> <p>If data is collected, but few violations are reported, reviews process for capturing information, determines whether staff have been adequately trained, and advises accordingly.</p>

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.4 Sanitation. Sponsor ensures that providers use appropriate sanitation practices.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.4.1. Sponsor staff is knowledgeable about appropriate sanitation practices in preparation and service of meals in child care homes.	Sponsor staff receives annual training on sanitation and safe food handling.		<p>Sponsor Action</p> <p>Sponsor provides training to staff as applicable.</p> <p>State Agency Action</p> <p>Refers Sponsor to appropriate training in sanitation and safe food handling for staff as needed.</p>
3.4.2. Providers are knowledgeable about appropriate sanitation practices in preparation and service of meals in child care homes.	Sponsor staff offers annual training to providers on sanitation and safe food handling.		<p>Sponsor Action</p> <p>Sponsor provides training to providers as applicable.</p> <p>State Agency Action</p> <p>Refers Sponsor to appropriate training in sanitation and safe food handling for providers as needed.</p>

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.4 Sanitation. Sponsor ensures that providers use appropriate sanitation practices.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.4.3. Sponsor staff reviews appropriate sanitation practices in preparation and service of meals in child care homes with all providers during home visits.		Sponsor staff completes required sanitation question on home visit monitoring forms.	<p>Sponsor Action</p> <p>Where problems are noted, provides additional training or technical assistance for provider.</p> <p>State Agency Action</p> <p>Reviews home visit monitoring forms and determines that Sponsor is addressing sanitation and safe food handling when appropriate.</p> <p>Requires Sponsor to add required sanitation question to home visit monitoring forms or training schedule for staff or providers as necessary.</p> <p>Requests Sponsor to address this issue with specific providers as the need is observed at home visits.</p>

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.5 Civil Rights. Sponsor ensures that providers comply with civil rights requirements.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.5.1. Sponsor ensures that providers offer the program and serve meals to all enrolled children equally regardless of race, color, sex, age, disability or national origin.	Sponsor staff are knowledgeable about and provide training to providers on civil rights requirements.	Sponsor informs providers of civil rights requirements of CACFP annually.	<p>Sponsor Action</p> <p>Provides additional training, consultation, and resources to providers to ensure that they understand civil rights requirements.</p> <p>Denies participation for those homes that fail to comply.</p> <p>Reports civil rights violations (discriminatory practices) to proper authorities.</p>

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.6 Record keeping. Sponsor ensures that providers complete and maintain program records.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.6.1. Sponsor ensures that providers are trained to and do maintain required records to document the number of meals claimed including, but not limited to: attendance, enrollment, meal counts by type (breakfast, lunch, supper, supplement).	Sponsor staff provides sufficient training and forms to providers, adequately reviews providers' records and provides sufficient technical assistance as needed.	Sponsor demonstrates training of providers on record keeping by (but not limited to): training records, newsletter, home visit monitoring forms, handouts. Sponsor assures that providers keep all required records to document the number of meals claimed.	Sponsor Action Provides additional training, consultation and resources to providers to ensure that they understand and follow record keeping requirements. Requires providers to send additional records before processing claims as needed. Denies reimbursement to providers who do not meet record keeping requirements for meals claimed.
3.6.2. Sponsor ensures foods served and meal substitutions are documented including, but not limited to: menus as planned and corrected if substitutions are made and other records required by the State Agency or Sponsor.	Sponsor staff provides sufficient training and forms to providers, adequately reviews providers' records and provides additional technical assistance as needed. Sponsor documents providers' meal pattern violations. Sponsor notifies providers of meal pattern violations and disallowances.	Sponsor demonstrates meal pattern and nutrition training of providers by (but not limited to): training records, newsletter, home visit monitoring forms handouts. Sponsor assures that providers keep all required records. Sponsor retains a record of providers' meal disallowances and their notification.	Sponsor Action Sponsor provides additional training and technical assistance to providers as needed. Sponsor denies reimbursement to child care homes for meals that do not meet meal pattern record keeping requirements. Sponsor revises its record keeping practices or forms as needed.

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.7 Claiming Meals. Sponsor ensures that providers claim only eligible meals.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
<p>3.7.1. Sponsor assures that providers claim only eligible meals including the following:</p> <p>A menu that meets meal pattern requirements is submitted for each meal claimed.</p>		<p>Sponsor disallows all meals not claimed in accordance with the following:</p> <p>During home visits the Sponsor determines that providers have menus that meet meal pattern requirements available for all meals claimed.</p>	<p>Sponsor will consistently disallow meals when menus do not meet meal pattern requirements.</p>
<p>3.7.2. Menus and meal counts are recorded within 24 clock hours of meal service (grace period).</p>		<p>During home visits the Sponsor determines that providers have up-to-date menus and meal counts.</p>	<p>Sponsor will consistently disallow meals not recorded within 24 clock hours of home visit.</p>
<p>3.7.3. Monthly claims are based on an accurate daily meal count (by child's name) for each meal service.</p>		<p>Providers claim meals in accordance with attendance observed during home visits.</p>	<p>Sponsor will compare attendance at visits to the number claimed on that day, review discrepancies and deduct meals appropriately.</p>
<p>3.7.4. Reimbursement does not exceed two meals and one snack or one meal and two snacks per child per day.</p>		<p>Providers claim no more than two meals and one snack or one meal and two snacks per child per day.</p>	<p>Sponsor will consistently disallow meals if the number of meals per child exceeds maximum allowed.</p>
<p>3.7.5. Children are enrolled in and attending child care when meals are claimed for them.</p>		<p>Providers claim meals only when there are enrollment forms on file and when children are in attendance.</p>	<p>Sponsor will not approve supper, holiday and/or weekend meals when inappropriate claims for these meals have been observed.</p> <p>Sponsor contacts parents or household to verify their children's enrollment, attendance and receipt of meals.</p>
<p>3.7.6. Meals served to provider's own children are claimed only if the child is enrolled with documented eligibility, and other enrolled children are in care and claimed for the same meal(s).</p>		<p>Providers claim meals served to their own children only when documented as eligible for meals claimed.</p>	<p>Sponsor Action</p> <p>Sponsor correctly determines provider income eligibility and checks meals claimed for provider's own children.</p>

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.7 Claiming Meals. Sponsor ensures that providers claim only eligible meals.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.7.7. Number of meals claimed does not exceed the child care home's licensed capacity.		Providers only claim meals within licensed capacity.	Sponsor Action Sponsor disallows meals claimed in excess of licensed capacity.
3.7.8. Only approved meal types are claimed.		Providers claim only meal types that are approved to be claimed.	Sponsor Action Sponsor disallows meals claimed that are not an approved type.
3.7.9. Meals are claimed only when served to children 12 and under, or migrant children through age 15 and/or individuals under the age of 21 who have documented disabilities as defined by the State.	Documentation of disability for these persons must be on file with provider and Sponsor and be updated annually.	Providers claim meals only for children who meet the age requirements.	Sponsor Action Sponsor disallows meals for children outside of age requirements.

Standard 3: Oversight of Provider Operations

Sponsor ensures that providers accountably and appropriately operate a program to provide nutritious meals to children.

3.7 Claiming Meals. Sponsor ensures that providers claim only eligible meals.			
Standards	Approval/Continuing Participation Criteria	Performance Measures	Performance Improvement Plan
3.7.10. All of the above	<p>Sponsor has adequate staff trained to evaluate accuracy of claims.</p> <p>Sponsor has an effective process to review and verify claims and allows only those meals that are served to eligible children to be claimed and reimbursed.</p> <p>Sponsor provides or has a plan to provide adequate training for providers on requirements and provides technical assistance when problems are noted.</p>	<p>Sponsor’s home visit monitoring form requires review of menu, attendance and enrollment records.</p>	<p>Sponsor Action</p> <p>Sponsor revises forms and/or procedures to ensure only eligible meals are claimed.</p> <p>Requires additional records to be submitted with each claim prior to processing.</p> <p>Provides additional training, consultation and resources to providers to ensure that they understand the respective requirements.</p> <p>Denies reimbursement to providers whose claims do not meet requirements.</p> <p>Improves or establishes means to track child care homes that may be seriously deficient.</p> <p>Terminates participation of seriously deficient child care homes.</p>

Appendix A
Nebraska Family Day Care Home Sponsors Recruitment Policy
Effective Date: March 1, 1999
Amended: October 13, 2000; May 23, 2006

I. Management Plan

- a. The Sponsor adheres to this Recruitment Policy, which is part of the Sponsor's management plan.
- b. The Sponsor provides a copy of this Recruitment Policy to all staff. The Sponsor instructs its staff to abide by this Recruitment Policy.

II. Geographic Service Area

- a. The Sponsor's management plan identifies a geographic service area in which services will be provided. A geographic service area is determined by counties.
 - i. The Sponsor may change its geographic service area with written approval from the Nebraska Department of Education - Nutrition Services. This decision will be based on whether the Sponsor has sufficient resources (funds, personnel) to serve additional counties.
 - ii. When a Sponsor's geographic service area changes, the Nebraska Department of Education - Nutrition Services will notify all Sponsors in writing.
 - iii. If the Sponsor has a provider who moves out of the Sponsor's geographic service area, the Sponsor may amend its management plan to include the provider's new county so the provider may remain with the Sponsor.

III. Recruitment of New Providers

- a. A new provider is defined as one who is not participating in the Child and Adult Care Food Program. The Sponsor may actively recruit any new provider.
- b. The Sponsor may not enter into an agreement with a provider who has signed an agreement with another Sponsor.
 - i. The Sponsor asks each prospective provider if s/he has a current agreement with another Sponsor. If the provider indicates s/he has a current agreement with another sponsor, direct contact/recruitment of the provider ceases while the current agreement is in effect.
 - ii. The Sponsor informs each new provider that it is the provider's responsibility to sign an agreement with only one Sponsor.
 - iii. The Sponsor's agreement with the provider may become effective only when the provider is properly licensed or approved.
- c. Any type of communication initiated by the Sponsor may not mislead new providers about Child and Adult Care Food Program regulations and enforcement of regulations.

IV. Recruitment of Participating Providers

- a. A participating provider is defined as one with a current agreement with any Nebraska Sponsor. The Sponsor is prohibited from initiating direct contact/recruitment with another Sponsor's participating provider for the purpose of persuading the provider to transfer to another Sponsor.

Appendix A
Nebraska Family Day Care Home Sponsors Recruitment Policy
Effective Date: March 1, 1999
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- i. The Sponsor asks each prospective provider if s/he has a current agreement with another Sponsor. If the provider indicates s/he has a current agreement with another sponsor, direct contact/recruitment of the provider ceases.
- b. The Sponsor is prohibited from soliciting the influence of third parties (other providers, friends, relatives, etc.) for the purpose of persuading a provider to transfer to another Sponsor.
- c. Direct contact/recruitment includes, but is not limited to:
 - i. Telemarketing calls to participating providers.
 - ii. In-home visits with participating providers prior to receipt of a Letter of Transmittal.
 - iii. Offers of cash or other gift bonuses for changing Sponsors.
 - iv. Mailings with content designed to persuade participating providers to transfer to another Sponsor.
 - v. Presentations initiated by the Sponsor specifically designed to persuade and instruct participating providers to transfer to another Sponsor.
 - vi. Any other type of communication initiated by the Sponsor specifically designed to persuade and instruct participating providers to transfer to another Sponsor.
- d. Direct contact/recruitment does not include:
 - i. General promotion and publicity materials such as yellow pages advertising, newspaper and broadcast advertising, public service announcements, televised training, posters, web sites, etc.
 - ii. Mass mailings about other child care services provided by the Sponsor, such as resource and referral, business and tax classes, general nutrition training, etc.
 - iii. Booths or exhibits and resource materials distributed at conferences, child care fairs, open houses, shopping malls, county fairs, and other places accessible by the public.
 - iv. Workshops or training activities at conferences directed toward child care professionals.
 - v. General informational workshops or meetings about the Child and Adult Care Food Program that are not designed for recruitment purposes.

V. Transfer Between Sponsors

- a. A provider may transfer from one Sponsor to another Sponsor during the anniversary month of the provider's current signed agreement.
 - i. The following procedures will be conducted in a timely manner as noted or as expediently as necessary prior to the end of the provider's anniversary month.
 - ii. When the provider notifies their current Sponsor of the intent to transfer to another Sponsor, the Sponsor that is releasing the provider will complete and

Appendix A
Nebraska Family Day Care Home Sponsors Recruitment Policy
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fax or mail a Letter of Transmittal to the new Sponsor within three business days.

- iii. When the Provider notifies a new Sponsor of the intent to transfer to that Sponsor, the new Sponsor will complete and fax or mail a Letter of Transmittal to the current Sponsor within three business days. The current Sponsor will indicate anniversary date, sign and fax or mail the Letter of Transmittal back to the new Sponsor within three business days.
- iv. The current Sponsor indicates the anniversary month on the Letter of Transmittal. The provider may begin participating with the new Sponsor in the month following the anniversary month.

VI. Reciprocity Between Sponsors

- a. Sponsors agree to permit providers who participate with another Sponsor to attend and participate in any training activities offered by the Sponsor.
 - i. The Sponsor may give priority to its own providers, allowing attendance by providers from another Sponsor on a space available basis.
- b. The Sponsor agrees to award certificates of attendance and training hours to providers who participate with another Sponsor who participate in any training activities offered by the Sponsor.
- c. The Sponsor may accept certificates of attendance and training hours that have been awarded to its providers from another Sponsor.

**Appendix B
Nebraska CACFP Sponsors
Provider Serious Deficiency, Corrective Action, termination and Appeal Protocol
Adopted as a “work in progress” August 28, 2002; updated 2003**

1. Serious Deficiency

A. Regulatory citation is found at 7 CFR 226.16 (l).

B. Defining Serious Deficiencies:

1. Submission of false information on the application.
2. Submission of false claims for reimbursement.
3. Simultaneous participation under more than one sponsor.
4. Non-compliance with CACFP meal pattern.
5. Failure to keep required records.
6. Conduct or conditions that threaten the health or safety of a child(ren) in care, or the public health or safety.
7. A determination that the day care home has been convicted of an activity that occurred during the past seven years and that indicated a lack of business integrity.
8. Any other circumstance related to non-performance under the sponsoring organization/day care home agreement as specified by the sponsoring organization or the state agency.

2. **Corrective Action**—Identify the serious deficiency and how it can be corrected. Each individual situation will have it’s own specific circumstances which will influence the corrective action defined for that provider.

A. **Notification of Serious Deficiency** - The provider must be notified that they have been found to be seriously deficient.

1. The notice must specify:
 - a. The serious deficiency(ies).
 - b. The corrective action with a timeframe.
 - c. The statement that the serious deficiency determination is not subject to appeal.
 - d. Failure to correct fully and permanently will result in proposed termination of the home and placement on the national disqualified list.
 - e. That a day care homes’ voluntarily quitting or terminating its agreement with the sponsor after having been notified that it is seriously deficient will still result in the day care home’s formal termination and placement on the national disqualified list.
 - f. That the provider has the right to continue to participate and submit claims. Note: Sponsor must never reimburse provider for invalid claims, however the sponsor must pay the portion of the claim that is valid.
2. Specify who found the serious deficiency or how it was found (CACFP staff, HHS, provider claim, parent complaint, parent audit) and when it was found (date of home visit, months of provider claims reviewed against parent audit information).
3. Include only things that can be proven.
4. Each individual situation will have its own specific circumstances.
5. Send a copy of the serious deficiency/corrective action plan letter to the State.

B. Outline Corrective Action

1. Define the period of time allotted to correct the deficiency - each component of the corrective action plan may have a different time line. (Example: If the provider must update their enrollment and submit new enrollment forms they should be given an exact date (in 1-2 weeks) to send these forms in).
2. Define the consequences of failure to fully and permanently comply with the corrective action:

“...serious deficiencies must be fully and permanently corrected within the allotted time. Failure to do so will result in notification of proposed termination for cause. Providers terminated for cause are placed on the national disqualified list and prohibited from participating on CACFP as a home or center for 7 years...”

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Nebraska CACFP Sponsors
Provider Serious Deficiency, Corrective Action, termination and Appeal Protocol
Adopted as a “work in progress” August 28, 2002; updated 2003

3. At the end of the time period allotted for corrective action, determine whether the provider has completed the corrective action to fully and permanently correct the serious deficiency(ies).
4. If the provider has complied with the corrective action and fully and completely corrected the serious deficiencies within the allotted time, the sponsor will send written notice to the provider that they are no longer seriously deficient (and a copy to the State).
5. If the provider has not complied with the corrective action to fully and permanently correct the serious deficiency within the allotted time, the sponsor can then send written notice of intent to terminate the agreement for cause.

C. *Termination Sequence* - regulatory citation 226.6 (1)

1. It is essential that all steps were followed in sequence:
 - a. The provider had to have been declared seriously deficient.
 - b. The provider was informed of the actions they were to have taken to correct the serious deficiency(ies).
 - c. The period of time allotted to correct the deficiency.
 - d. Failure to fully and permanently correct the serious deficiency(ies) within the allotted time would result in the termination of the provider’s agreement and placement on the “national disqualified list”
2. Notice of intent to terminate shall be given in writing.
3. Send termination notice by certified mail. If the notice is undeliverable, it is considered to be received by the day care home five days after being sent to the addressee’s last know mailing address.
4. Inform the provider they have the right to request an administrative review.
5. Give the provider the sponsor’s procedures for seeking an administrative review.
6. Sponsor should define, in its administrative review policy, how the date of termination is set if the provider does not request a review.
7. Inform the provider that, if termination occurs, the provider will be placed on the National disqualified list for 7 years or longer if a debt remains unpaid.
8. Inform the provider that if they choose to voluntarily terminate their agreement after receiving the notice of proposed termination, they will still be placed on the National disqualified list.
9. Inform the provider that they may continue to participate on the program and receive program reimbursement for eligible meals served until the administrative review is completed.
10. If the provider requests an administrative review they must be allowed to continue to participate/submit claims. However, the sponsor may not pay any claim, or any portion of a claim they believe to be invalid. This is not a “suspension” of program participation, but a denial of a claim based on the sponsor’s normal process for reviewing claims. The sponsor must continue to pay any eligible and valid claims received during the review process.
11. Sponsor must then follow its administrative review policy and the timelines outlined within that policy.

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Adopted as a “work in progress” August 28, 2002; updated 2003

The following is sample prototype language that can function as a starting point for creating your own notification letter.

Corrective Action:

To assure continued participation, serious deficiencies must be fully and permanently corrected. Please be advised that failure to comply with corrective action will result in your termination from the Food Program. *(Insert information about what claims provider can submit, along with any restrictions)*. Terminated providers are placed on the national disqualified list and are prohibited from participation in the CACFP as a home or center for seven (7) years or longer if a debt remains unpaid. Serious deficiency determinations are not subject to administrative review. Any day care home who voluntarily ends its agreement after having been declared seriously deficient will still be sent notice of intent to terminate and placed on the national disqualified list for seven (7) years or longer if a debt remains unpaid

Termination:

The following is sample prototype language that can function as a starting point for creating your own letter of proposed termination letter.

This letter serves as notice of our intent to terminate your participation on the *(Insert Sponsor Name)* Food Program. Terminated providers are placed on the national disqualified list and are prohibited from participation in the CACFP as a home or center for seven (7) years or longer if a debt remains unpaid. If you choose to voluntarily terminate your agreement you will still be placed on the National disqualified list. If you wish to request an administrative review of this proposed termination, you must submit your written request within seven (7) calendar days from receipt of this notice. If you do not request an administrative review, termination is effective *(insert date)*. You may continue to participate in the CACFP and will be paid only for valid meals through *(insert date)*.

NOTE: With this letter, enclose the procedures for administrative review.

Appendix C
Nebraska CACFP Home Sponsors
Provider Serious Deficiencies & Corresponding Corrective Action Plan
Adopted as “work in progress” August 28, 2002; updated: 2003

Sponsor Standard Serious Deficiency	Sponsor Corrective Action Performance Improvement Plan	Provider Corrective Action Performance Improvement Plan
<p>(i) Submission of false information on the application</p> <p>Falsification of name or date of birth</p> <p>Provider submits falsified license</p> <p>Provider fails to disclose that they have been terminated from the CACFP</p>		<ul style="list-style-type: none"> • Provider must demonstrate within ___ days that the information is not true, or that the sponsor made an administrative error or that the sponsor has confused two providers with similar or identical names. • A providers promise not to submit false information again does NOT constitute corrective action.
<p>(ii) The submission of false claims for reimbursement</p> <p>Falsification of meal attendance</p> <p>Claiming non-existent children</p> <p>Claiming children no longer in care</p> <p>Falsification of enrollment information or parent signatures</p> <p>Creating fictitious records</p> <p>Claiming program payments for meals not served to participants</p> <p>Claiming days where no care took place (evening, weekend, or holiday)</p>	<ul style="list-style-type: none"> • NEXT VISIT MUST BE UNANNOUNCED • Increase number of unannounced visits. • Increase frequency of visits, to more than 3 visits/year. • Sponsor solicits new enrollment forms from the parents directly, not through the provider. • Initiate parent audit. • Conduct home visit at all meal types claimed, conduct next home visit at meal not observed on previous home visit, or conduct meal visits at targeted meal of concern. • Limit meal service or meal type provider is allowed to claim. 	<ul style="list-style-type: none"> • Provider must submit written explanation for errors made in recording menus/attendance • Provider must update enrollment, drop children no longer in care. • Provider must obtain new enrollment forms for specified families or all families. • Provider must repay reimbursement for erroneous or unverifiable meals. • Provider not allowed to claim infants. • Provider meal service is restricted, not allowed to claim evening, weekend, or holiday suppers, or other meal time frames which were abused, or are in question. • Require provider to collect parent signatures for evening, weekends or holiday meals claimed. • Provider must submit current meals and the meal times of what she intends to claim. Provider is responsible to keep this information current with the sponsor. • Provider must report any deviation from meal time to the

Appendix C
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Adopted as “work in progress” August 28, 2002; updated: 2003

Sponsor Standard Serious Deficiency	Sponsor Corrective Action Performance Improvement Plan	Provider Corrective Action Performance Improvement Plan
		sponsor immediately.
<p>(iii) Simultaneous participation (claiming) under more than one sponsor</p> <p>Provider knowingly submits claims for the same month to more than one sponsor</p>		<ul style="list-style-type: none"> • Provider must demonstrate within ___ days that the information is not true or that the sponsor made an administrative error or that the sponsor has confused two providers with similar or identical names.
<p>(iv) Non-compliance with the Program meal pattern</p> <p>Failure to serve required meal components</p> <p>Failure to serve adequate portions</p> <p>Claiming meals containing non-creditable foods, which fail to meet meal pattern requirements</p>	<ul style="list-style-type: none"> • NEXT VISIT MUST BE UNANNOUNCED • Technical assistance on portion sizes, portioning utensils, recipe yields, etc. • Unannounced visits • Increase frequency of visits, to more than 3 visits/year • Limit meal service or meal type provider is allowed to claim • Complete additional menu analysis as needed at future meals 	<ul style="list-style-type: none"> • Provider will serve all required meal components, with correct portion sizes. Provider must submit menus for preapproval, with recipes, recipe yield or production sheet, and portion sizes specified. • Provider must submit receipts to verify menu documentation, i.e. milk audit, or other food component in question. • Provider not allowed to claim infants. • Provider meal service is restricted, not allowed to claim evening, weekend, or holiday suppers, or other meal time frames which were abused, or are in question. • Provider must submit current meals and the meal times of what she intends to claim. Provider is responsible to keep this information current with the sponsor. • Provider must report any deviation from meal time to the sponsor immediately

Appendix C
 Nebraska CACFP Home Sponsors
 Provider Serious Deficiencies & Corresponding Corrective Action Plan
 Adopted as “work in progress” August 28, 2002; updated: 2003

Sponsor Standard Serious Deficiency	Sponsor Corrective Action Performance Improvement Plan	Provider Corrective Action Performance Improvement Plan
<p>(vi) Conduct or conditions which threaten the health or safety of children in care or the public health or safety</p> <p>Unlocked firearms, alcohol, illegal drugs</p>	<ul style="list-style-type: none"> • Sponsor immediately contacts HHS office and/or appropriate authorities 	
<p>(vii) Determination that the day care home has been convicted of any activity that occurred during the past seven years and that indicated a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency, or the concealment of such a conviction.</p>		<ul style="list-style-type: none"> • Provider must demonstrate within ___ days that the information is not true or that the sponsor made an administrative error or that the sponsor has confused two providers with similar or identical names.
<p>(viii) Any other circumstance related to non-performance under the sponsoring organization-day care home agreement, as specified by the sponsoring organization or the State agency.</p> <p>Failure to cooperate with the home</p>	<ul style="list-style-type: none"> • NEXT VISIT MUST BE UNANNOUNCED • Disallow meals, days, month unavailable for visits • Unannounced visits • Increase frequency of visits, to more 	<ul style="list-style-type: none"> • Provider must be available for home visits during hours of operation. • Provider must submit schedule of child care and meal service hours. • Provider must report any hours she is not giving care, or will be

Appendix C
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Provider Serious Deficiencies & Corresponding Corrective Action Plan
Adopted as “work in progress” August 28, 2002; updated: 2003

Sponsor Standard Serious Deficiency	Sponsor Corrective Action Performance Improvement Plan	Provider Corrective Action Performance Improvement Plan
<p>visit process: repeatedly unavailable, repeated cancellations</p> <p>Unavailable for home visits unable to contact, no answer at door or by phone</p> <p>Failure to notify sponsor of license lapse or revocation</p>	<p>than 3 visits/year</p> <ul style="list-style-type: none"> • Limit meal services provider is allowed to claim 	<p>unavailable for a home visit, to the office prior to the date.</p> <ul style="list-style-type: none"> • Provider is notified that participation is suspended from date of notice until child care and meal service can be verified, such as through home visit • Provider required to submit time in and out with reimbursement claim. • Provider meal service is restricted, not allowed to claim evening, weekend, or holiday suppers, or other meal time frames which were abused, or are in question. • Provider must submit current meals and the meal times of what she intends to claim. Provider is responsible to keep this information current with the sponsor. • Provider must report any deviation from meal time to the office immediately. • Repayment of reimbursement paid out for meals when provider had no valid license and was not eligible to participate. • Provider must submit valid and current license papers. • Provider will notify sponsor immediately of license lapse, revocation or address change.

7 CFR 226.6(f)(2) requires State agencies to develop State staffing factors. The following items constitute the Nebraska staffing factors for Family Day Care Home (FDCH) Sponsors. These staffing factors are for all FDCH Sponsors with 50 or more homes. The number of homes used to assess the staffing factors will be based on the average number of homes claiming of the second quarter of each calendar year (April, May and June).

I. Geographic Location of Homes

Appendix D
Nebraska Staffing Factors
Issued by Nebraska Department of Education Nutrition Services; July 17, 2004

All affected Sponsors have homes in multiple counties. Some sponsors employ monitors who are located in various counties, while others employ monitors that travel from the central office. Administrative Reviews of all sponsors have not detected any problems with monitoring based on where the monitors are located. Geographic location of homes will not cause Sponsors to use the less than the maximum ratio of homes to monitors.

II. Literacy Level and Language Spoken by Home Providers

To date, Sponsors have not reported any problems arising from literacy or language barriers. At the present time, literacy and language barriers will not cause Sponsors to use the less than the maximum ratio of homes to monitors.

III. Previous CACFP Review Results

During Administrative Reviews the monitoring activities of each Sponsor is evaluated. After July 1, 2003, if a Sponsor does not meet the USDA standards for monitoring, the maximum number of homes per monitor will be reduced by the percentage of total homes that have not received sufficient monitoring.

Example: Sponsor X has 150 homes and had not provided sufficient monitoring for 15 homes. The ratio of 1 FTE monitor for 150 homes would be reduced by 10%. Therefore the new ratio would be 1 FTE to 135 homes.

IV. Experience Level of Providers and Monitors

Traditionally Nebraska Sponsors have experienced relatively low turnover in monitor positions. If the previous review results noted in item III, were caused by inexperienced monitors, the lower ratio would be implemented. Sponsors typically plan for the extra time needed to work with new providers.

V. Documentation of Compliance

The documentation requirements are outlined in items C and D in USDA Policy Memo CACFP-690. Sponsors will be required to document compliance in the annual Sponsor Management Plan.

Appendix E
Standard agreement between sponsor and provider

CHILD AND ADULT CARE FOOD PROGRAM (CACFP)
STANDARD AGREEMENT BETWEEN SPONSORING ORGANIZATION
AND CHILD CARE HOME PROVIDERS
PART ONE

This agreement is entered into this ____ day of _____ (month), ____ (year), by and between _____ (Name of Sponsoring Organization) and _____ (Name of Provider) at _____ (Provider Address).

This agreement specifies the rights and responsibilities of the sponsoring organization and the provider as participants in the CACFP administered by the Nebraska Department of Education.

Section 1. RIGHTS AND RESPONSIBILITIES OF THE SPONSORING ORGANIZATION

1. In accordance with CACFP regulations, the sponsoring organization agrees to:
 - a. Train providers in CACFP program requirements before they begin participating in the CACFP.
 - b. Offer additional training sessions scheduled at times and places convenient to providers.
 - c. Respond to a provider's request for technical assistance.
 - d. Provide CACFP record keeping forms to the provider.
 - e. Distribute reimbursement checks to providers within five days of receiving payment from the Nebraska Department of Education.
 - f. Not charge a fee to the provider for CACFP services.
 - g. Assure that all meals claimed for reimbursement are served to eligible enrolled children without regard to race, color, national origin, sex, age or disability and that all meals claimed for reimbursement meet the meal requirements of the CACFP (7 CFR 226.20).
 - h. Reimburse providers for the appropriate number of meals claimed multiplied by the current reimbursement rate set by the U.S. Department of Agriculture.
2. The sponsoring organization or the provider may terminate this agreement to participate in the CACFP for cause or convenience, with notification to the Nebraska Department of Education.
3. The sponsoring organization will determine and monitor Tier I or Tier II or mixed status for each child care home by school boundaries, census data, and/or income eligibility.
4. The sponsoring organization will maintain family size and income data on the provider's own children who are enrolled for care for whom reimbursed meals are claimed.
5. The sponsoring organization, the Nebraska Department of Education, the U.S. Department of Agriculture and other State and Federal officials have the right to visit child care homes to review their meal service and the meal records during their hours of child care operations. Anyone making such reviews must show photo identification that demonstrates that they are employees of one of those entities. If representatives of any of the entities discover through an in-home visit that the provider's meal count and/or menu records are not current with 24 clock hours of the time of the visit, meals not properly recorded will be disallowed. Such disallowances will also be made if a substitute caregiver or assistant is not able to provide records during an in-home visit.
6. The sponsoring organization will review (visit the site of operation) each child care home a minimum of three times per year. The first review will be within the provider's first four weeks of program operation and not more than six months will elapse between reviews. At least two reviews per year will be unannounced. At least one unannounced review must include the observation of a meal service. Additional reviews may be made as deemed necessary. If, in a review of a home (facility), a sponsoring organization detects one or more serious deficiency, the next review of that facility must be unannounced.

Appendix E
Standard agreement between sponsor and provider

7. The sponsoring organization will maintain annual enrollment records on all enrolled children.
8. This agreement is effective only when the provider is properly licensed or license exempt.

Section 2. RIGHTS AND RESPONSIBILITIES OF THE CHILD CARE HOME PROVIDER

1. The provider must have current federal, state or local licensing or license exemption to provide child care services to children.
2. The provider is required to keep daily records of:
 - a. Menus that document the food served to the enrolled children at each meal service,
 - b. The number of meals served to children at each meal service,
 - c. The names of enrolled children who are present each day,
 - d. The number of children in attendance each day, and
 - e. The names of children claimed for reimbursement at each meal.
3. The provider may claim meals served to enrolled children (or foster children) living in the provider's home only if enrolled children who live outside the provider's home are also served that meal. The provider must provide family size and income data on his/her own children to the sponsoring organization if they are to be claimed.
4. Training opportunities will be offered regularly by the sponsoring organization. The provider must complete annual training on the requirements of the Child and Adult Care Food Program. Minimum training content must include: CACFP meal pattern, reimbursement process, accurate meal counts, claims submission, and record keeping.
5. The provider must allow representatives from the sponsoring organization, the Nebraska Department of Education, the U.S. Department of Agriculture and other State or Federal officials to come into the provider's home, during the regular hours of operation, for the purpose of reviewing the CACFP operations. This may be done several times a year. Reviews may be announced or unannounced.
6. The provider must promptly notify the sponsoring organization of the names of any children added to or dropped from the enrollment for child care, or if there are any changes in the home's license or approved status.
7. The provider must submit the meal count and menu records to the sponsoring organization by the ____ day of each month. Failure to do so may result in loss or delay of payment for that month.
8. Meals may be claimed for the provider's own children if the provider's income is within the income eligibility guidelines issued by the U.S. Department of Agriculture and the provider completes an income eligibility form. Foster children residing with the provider may be claimed if a separate Income Eligibility Form is completed.
9. Meals may be reimbursed at the higher Tier I rates if the provider lives or provides care in a Tier I area or lives or provides care in a Tier II area and has proven income eligibility. It is the responsibility of the provider to inform the sponsoring organization of any change in status due to income or location.
10. The provider must serve meals that meet the CACFP requirements for the ages of children being served. Meals must meet the meal pattern requirements in 7 CFR 226.20. The provider may not claim more than three meals per child per day, and of the three, one must be a snack.
11. The provider will not receive reimbursement for meals served to children who are 13 years of age or older. The eligibility of migrant children 15 years of age or younger and persons with mental or physical handicaps, as defined by the State, enrolled in an institution or a child care facility serving a majority of persons 18 years of age and under, will be determined by the sponsoring organization.

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12. The provider will not receive reimbursement for meals served in excess of authorized capacity.
13. The provider or the sponsoring organization may end this agreement to participate in the CACFP for cause or convenience.
14. Only one meal per child may be claimed at each meal service.
15. The provider must serve meals to all enrolled children without regard to race, color, national origin, sex, disability or age.
16. The provider agrees that no separate charge for food service is imposed on families of children enrolled in participating family day care homes.
17. It is the responsibility of the provider to sign an agreement with only one sponsor. If a new provider inadvertently signs an agreement with more than one sponsor, the sponsor that receives the provider's initial claim shall hold the valid agreement.
18. Any provider who claims and accepts payments from more than one sponsor in the same month has committed fraud. Such provider shall:
 - a. repay reimbursement to both sponsors,
 - b. be terminated from participation in the CACFP,
 - c. be prohibited from participating in the CACFP, and
 - d. be placed on the National disqualified list and remain on the list until such time as the State agency determines that the serious deficiency(ies) that led to its placement on the list has(ve) been corrected, or until seven years have elapsed since its agreement was terminated for cause. However, if the day care home has failed to repay debts owed under the Program, it will remain on the list until the debt has been repaid.
19. The provider may transfer from one sponsor to another sponsor during the anniversary month of the provider's current signed agreement. This transfer must occur before the end of the anniversary month and must include the initiation of a letter of transmittal.
20. The provider assumes full administrative and financial responsibility for the operation of the CACFP in the child care home.
21. If the participating provider is not available and there is a substitute provider taking his/her place in the child care home and the substitute provider is caring for children enrolled in the child care food program, then the substitute provider must be informed by the participating provider about the child care food program requirements, including the importance of record keeping and where the menu records with meal counts are located.
22. The provider must notify the sponsoring organization in advance when they will be away from the day care home during any portion of the meal service time approved in their agreement. Notification may be by submitting a schedule in advance, by telephone, email, FAX or other method determined by the sponsoring organization. If an unannounced visit is made by the sponsoring organization, the Nebraska Department of Education, the U.S. Department of Agriculture and other State or Federal officials and this procedure has not been followed, meals that could have been served during the period of the unannounced review may be disallowed.

Section 3. SERIOUS DEFICIENCIES, TERMINATION AND THE NATIONAL DISQUALIFIED LIST

The provider agrees to comply with 7 CFR 226, Regulations for the Child and Adult Care Food Program. Failure to comply may result in the provider being declared seriously deficient. Failure to correct serious deficiencies will result in termination and placement on the National disqualified list. If the day care home seeks to voluntarily terminate its agreement after receiving the notice of intent to terminate, the day care home will still be placed on the national

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disqualified list. Once included on the National disqualified list, a day care home will remain on the list until such time as the State agency determines that the serious deficiency(ies) that led to its placement on the list has(ve) been corrected, or until seven years have elapsed since its agreement was terminated for cause. However, if the day care home has failed to repay debts owed under the Program, it will remain on the list until the debt has been repaid. The provider may not transfer from one sponsor to another sponsor if the provider is under corrective action, seriously deficient or proposed termination.

The sponsoring organization must initiate action to terminate the agreement of a day care home for cause if the sponsoring organization determines the day care home has committed one or more serious deficiencies. Serious deficiencies of day care homes are:

- a) submission of false information on the application;
- b) submission of false claims for reimbursement;
- c) simultaneous participation under more than one sponsoring organization;
- d) non-compliance with the Program meal pattern
- e) failure to keep required records;
- f) conduct or conditions that threaten the health or safety of a child(ren) in care, or the public health or safety;
- g) a determination that the day care home has been convicted of any activity that occurred during the past seven years and that indicated a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency, or the concealment of such a conviction; or
- h) any other circumstance related to non-performance under this agreement.

Program payments. The sponsoring organization must continue to pay any claims for reimbursement for eligible meals served until the serious deficiency(ies) is corrected or the day care home's agreement is terminated, including the period of any administrative review.

Suspension of participation for day care homes. If state or local health or licensing officials have cited a day care home for serious health or safety violations, the sponsoring organization must immediately suspend the home's CACFP participation prior to any formal action to revoke the home's licensure or license exemption. A sponsoring organization is prohibited from making any program payments to a day care home that has been suspended until any administrative review of the proposed termination is completed. If the suspended day care home prevails in the administrative review of the proposed termination, the sponsoring organization must reimburse the day care home for eligible meals served during the suspension period.

Section 4. FRAUD

Whoever embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property that are subject of a grant or other form of assistance under 7 CFR Part 226, whether received directly or indirectly from the Nebraska Department of Education or the U.S. Department of Agriculture or whoever received, conceals, retains such funds, assets, or property to his/her use or gain, knowing such funds, assets, or property have been embezzled, willfully misapplied, stolen or obtained by fraud shall, if such funds, assets, or property are of the value of \$100, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

Section 5. CERTIFICATION

By signing below, the provider certifies that to the best of her/his knowledge, this home is not participating in the CACFP under any other sponsoring organization and that all information provided is true and correct to the best of her/his knowledge.

By signing below, the provider agrees to abide by all terms and conditions as set forth in Part One and Part Two of this agreement, 7 CFR 226 – Federal Regulations governing the Child and Adult Care Food Program and all other

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requirements of the sponsoring organization as outlined in provider handbooks and administrative memos.

By signing below, the provider certifies that information is being provided in connection with the receipt of federal funds; the sponsoring organization, Nebraska Department of Education or U.S. Department of Agriculture officials may, for cause, verify information; and acknowledges that deliberate misrepresentation may subject the provider to prosecution under applicable state and federal criminal statutes.

By signing below, the provider certifies that the program must be made available to all eligible children regardless of race, color, national origin, sex, age, or disability.

By signing below, the provider certifies that she/he has not been terminated for any reason, including but not limited to fraud, by any CACFP sponsoring organization. The provider further certifies that she/he has not been terminated from any federally funded program anywhere in the United States, and that she/he has not been placed on the National Disqualified List during the past seven years.

Signature of Provider

Date Signed

Date of Birth (mo/day/year)

Signature of Sponsoring Organization Representative/Title

Date Signed

Effective Date of Agreement _____

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.