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## 4C's Child Care Food Program: Policies and Procedures

The provider must understand and comply by the United States Department of Agriculture (USDA) Child and Adult Care Food Program (CACFP) rules and regulations outlined in the *Permanent Agreement Between a Sponsor and a Day Care Home Provider* contract signed and dated by a 4C's of Santa Clara Inc. (4C's); Child Care Food Program (CCFP) representative and the Day Care Home (DCH) provider.

Providers must practice food safety, handling and sanitation guidelines in accordance with 4C's CCFP policies and procedures when preparing and serving meals.

Providers must maintain records for the following information: **attendance, enrollment, meal counts, menus and relevant medical/decline forms**. Records must be maintained for **three** consecutive fiscal years **including the current fiscal year** in which the provider has submitted a claim.

Records may be kept in hard copy or electronic format; all records must be readily available upon request or retrieved in a reasonable amount of time at the time (**fourteen business days**) from the date of the request.

Any failure to maintain CACFP and 4C's CCFP standards shall be grounds for denial of reimbursement, serious deficiency and or termination/expulsion from the 4C's CCFP.

### Meal Patterns:

The provider must comply by the California Department of Education (CDE) Meal Patterns by age group when preparing and serving food to children in their care. **The provider is required to post all relevant Meal Patterns in a prominent place (refrigerator door, bulletin board, or another visible area)**. The Meal Patterns can be found at:

<https://www.cde.ca.gov/ls/nu/he/cacfpresource.asp>

If the provider does not have internet access, a Meal Pattern will be provided by the 4C's CCFP.

### Meal Times:

The provider must serve meals in accordance with the CACFP meal spacing policy.

Meals must be served as follows: **Breakfast** before 8:45 a.m., **Lunch** between 11:00 a.m.-1:15 p.m. and **Dinner** between 4:00 p.m.-6:45 p.m. There must be a minimum of a **two-hour gap** between the main meal and a snack and a minimum of a **three-hour gap** between two main meals.



Meals or Snacks served outside of assigned meal times but within a reasonable time of assigned meal times do not need to be reported. However, if meals or snacks are continually served at a different time than assigned meal times, providers must notify 4C's CCFP staff of the change.

### **Meal Ranges:**

Additionally, all meals must be served to children for the full duration of a “meal range”, for it to be a reimbursable meal. Below is a list of the meals and their “meal ranges”. Additionally, child attendance times must reflect that the child was present for the full duration of the meal range for the meal to be a valid reimbursable meal. For example: dinner for a child who leaves 15 minutes into a dinner will not be reimbursed. See the meal range's listed below:

Breakfast - 15 minutes  
A.M. Snack - 10 minutes  
Lunch - 20 minutes  
P.M. Snack - 10 minutes  
Dinner - 20 minutes

### **Feeding Styles:**

A provider should choose the option that best fits their day care. Feeding styles help positive feeding habits and practices. Feeding styles are recommended to increase participation and encourage children to taste new foods, to socialize and to gain basic food knowledge.

### **Family Style:**

All meal components are placed in the middle of the service table. There needs to be enough of each required meal component present at the start of the meal. Food components are not pre-portioned. At least the minimum amount required by the CACFP for each child in attendance for the meal must be placed on the table. Children pass the meal components around the table and are able to choose their desired amount of each component. Items stay on the table for the duration of the meal, should a child request to have more of an item, they may ask for a desired food component as long as all other children have been offered the food component. Providers can choose to replenish food components as they see fit.

### **Unitized:**

All components are pre-portioned and each meal consists of the same meal components. Children may ask for more of a component and needs are met on an



individual basis until supply lasts. Providers can choose to feed more than the minimum as they see fit.

**Mixed:**

Several items are placed in the center of the table while some are pre-portioned (usually milk or complementary proteins i.e. peanut butter and cheese). Children share the components in the center, passing it around the table. Providers can choose to replenish food components as they see fit.

**Child Enrollments:**

The CACFP must be offered to all children in a provider’s care regardless of race, color, national origin, sex, age or disability. **All children must be enrolled** including, infants, “drop-ins”, “part-timers”, children on a one to two-week trial period, provider’s own and other residing children (nieces, nephews, grandchildren, helper’s children) etc.

**All children must be enrolled on the first day of care.** A Child Enrollment Report (CER) can be generated using the KidKare.com web claim program (If a provider does not have access to internet the appropriate fill in enrollment form must be kept on hand and filled out as necessary for all new children enrolling in the program). Providers must **retain** a copy of the signed CER form for **each** enrolled child, a copy must be maintained **on site**, an original must be sent to **4C’s Main Office**:

Attn: 4C’s Child Care Food Program  
4C’s of Santa Clara County, Inc.  
150 River Oaks Parkway  
San Jose CA, 95134

The completed CER form must reach the Main Office within **five business days** in order for 4C’s CCFP to **“activate”** the enrolled child in the KidKare.com. If the CER form is received within the **five business days**, the child can be reimbursed as of the 1st of the month in which the child was claimed.

After the CER for a child has been generated by a provider the child will be put on **“pending”** status by KidKare.com. This means the child will not be counted in the current claim month’s reimbursement, **until** it has been received and **“activated”** by the 4C’s CCFP in the Main Office.

The provider will only be reimbursed for meals in which the child is present and recorded during the month, retroactive to the 1<sup>st</sup> of the month or enrollment date indicated on the CER form.



Any CER forms received on or before the 5<sup>th</sup> business day following the current claim month will be activated and reimbursed accordingly.

Anything received in the main office after the 5<sup>th</sup> business day will be reimbursed beginning the of the 1<sup>st</sup> of the following claim month.

All sections of the CER form must be completed as applicable (infant portion, if substitute of breast milk is needed, school age information, etc.).

All Incomplete CER forms will remain on pending status or put on pending status until a CCFP representative receives the completed CER form.

Any incomplete information will be noted and the provider will be notified of the missing information by 4C's CCFP staff. After the notification date, providers have five business days to correct and return the CER form.

Pending, incomplete or CERs missing supporting documents will not be reimbursed unless received within the afore-mentioned timeline. If the corrected CER is received after the five-day grace period, the child will be reimbursed starting the day the corrected CER form was received in the main office and/or retroactive to the 1<sup>st</sup> of the month unless the claim deadline has already passed.

**As a reminder all CER forms and supporting documents must be maintained for three consecutive years including the current year in which a claim was submitted.**

Only blue or black ink pens will be accepted on the CER form. The CER form must be signed and dated by the parent with the same ink color (preferably blue). The parent signature and the provider signature may be of different ink; however, it is preferable that the ink color is uniform for the entire document. **Pencil or white-out of any kind will not be accepted.**

#### **Types of Enrollments:**

- **Kindergarten and School-age Children** - Any child attending school. School information must be provided.
- **Non-participating Children** - Any child declining to participate in the CACFP program. All children who decline participation must be enrolled as non-participating (uncheck the "participates in CACFP" check box on KidKare.com). Parents will also have to complete a *Parents Form for Declining Participation in the Child and Adult Care Food Program* and stapled to the child's CER form.
- **Provider's Own and Children Residing in Provider's Home** - All children living/residing at the license facility must be enrolled. Check the box labeled



“Provider’s own” under the: “Relation to provider” section. A provider may choose to claim their own or residing children. If a provider wishes to claim their own or residing child, they can complete a blue Meal Benefit Form (MBF) in order to get reimbursed for these meals.

- Infants - 0-11 months old. Providers are required to offer an Iron Fortified Formula (IFF) and food to infants in accordance with CACFP guidelines. Under the “Special” section in KidKare.com, providers are to indicate the name of the formula they have offered and the source of the formula (provider or parent). If a parent is providing the formula indicate the name of the parent provided formula. Parents may also decline a provider’s offered formula. If so, Parents must also complete a *Parent Form for Declining a Provider’s Formula/Food* and stapled to child’s CER form.

Note: If the parent is supplying **breast milk** it must be indicated under “Parent Formula Name”. And no parent decline form is required.

#### **Updating child information:**

For changes to an existing “active” enrolled child’s information/schedule, providers must contact the 4C’s CCFP to make changes on KidKare.com and an updated CER form must be generated signed and dated and sent to the main office within five business days.

Providers must update CER forms annually. 4C’s CCFP conducts a mandatory update of enrollments every January, all children in care must be updated regardless of their original enrollment date.

4C’s CCFP will inform providers about the procedure and the due dates for updating enrollments one month in advance in December. Any enrollments not updated upon request will be dropped from the provider’s child list and the provider could be placed on Serious Deficiency if a visit reveals that children are not enrolled in accordance with the Permanent Agreement requirements.

#### **Reactivating a child:**

If a dropped child returns to the DCH, the provider must notify the 4C’s CCFP in order for the child to be “reactivated”. An updated CER must be completed and submitted to the main office. If the child dropped and reactivates in the same year of the drop (as indicated by the CER), the original CER still applies unless the child’s CER requires an update (i.e. in and out times, days of care, address change etc.) Standard enrollment and updating timelines apply.

#### **Supporting Documents for Special Diets:**



*Parent/Guardian’s Form for Declining Participation in the Child and Adult Care Food Program* - this is required for any children whose parents have chosen to decline the providers offered food and will be furnishing all food for their child.

*Parents/Guardian’s Form for Declining a Provider’s Formula* - In accordance with the Child and Adult Care Food Program, providers must offer an iron fortified formula to infants (0-11 months). If a child’s doctor prescribes a formula that does not meet the CACFP requirements, parents/guardians must complete and sign the document with the necessary information located on the back-side of the form.

*Parents/Guardian’s form for declining Provider’s food* - If a parent or guardian wishes to furnish a food item or items which complies with local health codes but does not meet the CACFP nutrition requirements they must complete this document.

*Medical Statement to Request Special Meals and/or Accommodations* - To be completed for any medical condition or disability that requires a special meal or accommodation. Or any food intolerances or any other medical reason

*Parental Request for a Fluid Milk Substitution for Children in Child Care* - A parent/guardian requesting a fluid milk substitute due to medical or other special dietary need must complete this document.

**Tier Determination:**

A provider is Tier I (highest reimbursement rate), Tier II (low reimbursement) or Mixed Tier (based on Meal Benefit Form for each family with child(ren) in the Providers DCH).

Meal:	Tier I:	Tier II:
<b>Breakfast</b>	\$1.31	\$0.48
<b>Snack</b>	\$0.73	\$0.20
<b>Lunch</b>	\$2.46	\$1.48
<b>Dinner</b>	\$2.46	\$1.48
<b>Maximum reimbursement:</b> 2 Meals and 1Snack per child per day 2 Snacks and 1 Meal per child per day		

A provider’s tier is determined in one of two ways: (1) **Area eligibility** or (2) **Income eligibility**.

**Area Eligibility** - Provider must be located in an area of economic need as determined by attendance boundaries of eligible elementary, middle or high school enrollment data or census data. If one of the schools has a percentage of enrollments determined to be low



income of 50% or higher a provider qualifies for Tier I based on school Free and Reduced Price Meals (FRPM) data.

**Meal Benefit Form Eligibility** - Providers establish individual economic need through a Meal Benefit Forms.

**Area Eligibility Tier Determination Steps:**

1. Use the school locator, map or street guide available on the school district website to determine the addresses of the elementary, middle school and high school the provider is linked to (not necessarily the closest). If unavailable on the school district website, follow the next step. If you are able to locate the school's linked to the provider's address move on to the Free and Reduced Price Meals percentage data step.
2. The school district in question may be contacted via **email** or **phone** to receive a hard copy of the street guide and school determination will be made from the street guide received from the school district. If unable to contact school district authorities follow the **next step**.
3. If the provider's address cannot be located either on the website or from hard copy of the street guide received from the school district, then a school district authority will be contacted via letter to verify the assigned schools for the Provider's street address. Supporting documentation regarding assigned school and contact information regarding the name of the staff, title and phone number is recorded and kept in the provider's file.

**Free and Reduced Price Meals percentage data:**

1. The Free and Reduced Price Meals (FRPM) percentage data for the particular schools is used to determine whether or not the provider's assigned school district and assigned schools is eligible for Tier I reimbursement. The FRPM is updated annually and maintained by California Department of Education, posted on: <http://www.cde.ca.gov/ds/sd/sd/filessp.asp>. Move on the **step 5**.
2. If the FRPM percentage data for the assigned schools in question is 50% or higher for any elementary, middle or high school the provider qualifies for the Tier I reimbursement rate and remains Tier I eligible for five years. If the data shows that the provider's assigned schools are not 50% or higher the Provider can choose to undergo the Meal Benefit Form Eligibility Determination option.

**Meal Benefit Form Eligibility Tier Determination Steps:**

**Blue form:**

1. A tier option letter is generated and given to the provider. The provider may opt to submit a blue Meal Benefit Form (MBF) along with documentation of current income received by the provider's household (pay stubs, day care income



receipts). Section 4 on the MBF and supporting documentation is reviewed for Tier certification by the 4C's CCFP.

2. If the provider's household income falls within the current year income eligibility scale as evidenced by the appropriate **supporting documents**, they would qualify for one of the below categories:
  - a. Eligible to claim their **own** children for one year
  - b. Certified as a **Tier I** home for a period of one year and would also be eligible to claim his/her **own** children under the age of thirteen years old for the same time period
  - c. Failure to qualify automatically certifies the Provider as a **Tier II**
3. Categorical Tier I Determination: If Section 3 in the blue Meal Benefit Form is complete and accepted based on participation in one of the listed programs the provider is determined to be a Tier I home for a period of one year retroactive to the 1<sup>st</sup> of the month in which the MBF is received.

#### **Pink form:**

4. Categorical Tier I Determination: If Section 3 in the pink Meal Benefit Form is complete and accepted based on participation in one of the listed programs the provider is determined to be a Tier I home for a period of one year retroactive to the 1<sup>st</sup> of the month in which the MBF is received.
5. Mix Tier Determination: Providers classified as Tier II may choose to have parents fill out a pink Meal Benefit Form to assess individual eligibility. Tier II providers who have income eligible children that received Tier I reimbursement based on parent eligibility of pink Meal Benefit Forms are certified as Mixed Tier providers. Eligibility based on this option is in effect for one year retroactive to the 1<sup>st</sup> of the month in which the MBF is received.

#### **Tier Update Process:**

- Each month on the 1<sup>st</sup>, the *Child Tier Expiration Report* and *Providers Changing Tiers Report* are printed from the Minute Menu hx software by a 4C's CCFP Staff member.
- For providers with expiration of school area eligibility, the current school assignment for the provider street address is reviewed on the school district website and current FRPM data from the CDE website. Records showing the updated qualifying school and corresponding FRPM data for the year qualified are placed in the provider's file.
- Providers and parents with income eligibility expiration dates for that month are sent letters informing them of eligibility expiration along with the appropriate color Meal Benefit Forms. The letters are sent out on the 10<sup>th</sup> of the month.
- Providers and parents are given a deadline of the 25<sup>th</sup> of that month for the forms to be returned to the office for processing.





- Once collected the 4C's CCFP Staff representative will process the Meal Benefit Form by the last business day of the month. The Tier Date will be effective the first of the month the 4C's CCFP Staff member process the MBF.
- The MBFs are given to the 4C's CCFP for review.
- Data entry on Minute Menu software for both school area eligibility and income eligibility is done by a 4C's CCFP Staff member with effective Tier Certification dates by the 5<sup>th</sup> of the corresponding claim month.

Tier II providers will have several options available to them to increase their rate of reimbursement referenced in the above determination steps. Upon joining the 4C's CCFP, Tier II providers will be notified of the options they have regarding increasing their reimbursement rates. During the claim month of June should a provider's tier determination change due to the new data a letter alerting the provider of the change and the options available to them.

#### **Tier II Options:**

1. Elect to receive the Tier II reimbursement rates for meals served to children enrolled in the day care home.
2. Submit a blue Meal Benefit Form to determine income eligibility for Tier 1 reimbursement.
3. Elect to have 4C's of Santa Clara, Inc. to collect income eligibility information for the children enrolled in the day care home and make determinations individually. This information will be collected by using the pink Meal Benefit Form.
4. Elect to have 4C's of Santa Clara, Inc. to collect eligibility information regarding only certain children enrolled for care that may be categorically eligible for Tier I reimbursement based on Section 3 of the pink MBF.

See Income Eligibility Guidelines and Meal Benefit Form for more detailed information or queries.

#### **Claims Processing:**

Providers submit CACFP claims via KidKare.com as an "Internet" provider or as a "Manual" entry provider using menu, meal counts and attendance collected and entered each day during the claim month. All the claims are due on the 1<sup>st</sup> business day of each month. All claims must be received no later than the 5<sup>th</sup> business day of the following month.

Manual claim day care home providers must record all meal counts, menus and attendance times daily. 4C's CCFP staff will check to make sure that manual day care home providers are maintaining the records for a minimum of five days prior to the day of the visit plus the current day records. Should a provider not have five prior days recorded, 4C's CCFP staff must disallow any meals that are not recorded.



Manual claim providers must have menus and meal counts documented on the appropriate 4C's CCFP manual claim documents in order to be accepted. Any days that are not entered on the 4C's CCFP manual claim documents must be disallowed at the time of the visit.

Attendance may be recorded separately and maintained daily but must be available to view for reconciliation purposes. Should a provider not be "up-to-date" (five days prior) with regards to manual claim records **twice consecutively**, the provider shall be placed on Serious Deficiency; a third consecutive time during the follow-up visit will be grounds for termination.

KidKare.com error checks are put in place to disallow meals based on a variety of errors which can be checked by the provider using KidKare.com. Providers may check their claim errors via KidKare.com by going to "Reports" on their home screen, selecting menu option "Claim Statements" and "Claimed Summary and Error".

Manual claim day care home providers will be sent their Claim Information Forms (CIF), OERs and Claim/Check stubs via mail.

In addition to providers "self-checking", 4C's CCFP Staff will review Office Error Reports (OER) to check for common errors prior to site visits on a case to case basis. Should an OER indicate an error that is a fixable error and would be beneficial for the provider to fix, 4C's CCFP staff may investigate the error and work with providers to fix or to troubleshoot in order to fix or avoid the error in the future.

Each month claims are submitted via the Child Nutrition Information and Payment System (CNIPS) to the state. 4C's CCFP claims are submitted by the 10<sup>th</sup> (or closest business day) of each month. The final claim after adjustments is submitted by the 20<sup>th</sup> (or closest business day) of the following month.

After submitting their claim each month, providers should review the Claim Summary and Error Reports. If any claims adjustments are required they are submitted for the final claim. Providers are given technical assistance by their 4C's CCFP. 4C's CCFP strives to be as accurate and in compliance with CACFP rules and regulations as possible.

California Department of Education (CDE) CACFP determines reimbursement. Upon receipt of the CDE CACFP reimbursement check for the monthly claim and any adjustments CCFP disburses the provider payments within five business days after the date the check was received, through direct deposit or "live" check.



By the 31<sup>st</sup> of December of the current fiscal year any un-cashed checks will be returned to CDE.

The 4C’s CCFP uploads each month’s claim data to CNIPS for payment. The 4C’s CCFP Manager or appropriate appointed official verifies numbers are entered accurately. The Average Daily Participation (ADP) figure is to be rounded up. ADP has been defined below:

“Average Daily Participation means the average number of children, by eligibility category, participating in the Program each operating day. These numbers are obtained by dividing (a) the total number of free lunches claimed during a reporting period by the number of operating days in the same period; (b) the total number of reduced price lunches claimed during a reporting period by the number of operating days in the same period; and (c) the total number of paid lunches claimed during a reporting period by the number of operating days in the same period.”

7 CFR 210.2

**Claim Accuracy and Error Process:**

The Minute Menu HX Sponsor Solutions Software is able to find specified errors set by the 4C’s CCFP; it is not able to fix errors that may have occurred due to special circumstances. 4C’s CCFP may fix errors if alerted and said errors are fixable within CACFP rules and regulations. Providers are encouraged to review their claim errors each month.

Each month prior to submission of the claim through CNIPS, 4C’s CCFP staff print out the errors associated with their assigned providers. If a known error that is easily fixed or requires simple verification to correct, 4C’s CCFP will contact the provider to correct the error.

Should a provider find an error in their monthly claim, the provider should contact a CCFP representative to describe the error found and should have suitable documentation or reasonable evidence that his/her claim is inaccurate. Once a 4C’s CCFP representative have verified there is indeed an error, a claim adjustment can be made and reprocessed within 30 days of claim date. If an error is found after the 30-day grace period, 4C’s CCFP is unable to fix said error due to strict CDE deadlines.

**Procedures for Returning Un-Cashed Check Funds:**

The USDA, Food and Nutrition Services Instruction requires CACFP Sponsors to return un-liquidated provider reimbursements to the state agency after the Sponsor has made



a reasonable attempt to locate the provider. The CDE is then required to return the funds to the USDA.

1. When the un-cashed check list is received from the fiscal department, the 4C's CCFP staff member makes phone calls or emails to locate the providers and inform them of the un-cashed check.
  - a. If the provider is located the provider is informed for the check and the check is reissued if more than six months old.
  - b. If the provider cannot be located, the fiscal department state is notified. Fiscal will then return the un-cashed checks of un-reachable providers to CDE.
2. All uncashed provider federal and state reimbursements are to be returned by check(s) to the CDE's Cashier's Office at the following address:

California Department of Education  
Cashier's Office  
P.O. Box 515006  
Sacramento, CA 95851-5006

Each check returned to the CDE must include the following information:

- "Un-cashed provider checks"
- The federal or state fiscal year which the provider check cover if multiple then each separate checks should represent the fiscal years the checks are for
- The sponsor's agreement and vendor numbers
- The provider's name
- The original check number for the provider payment
- The month and year covered by the provider payment
- The funding source (federal or state)
- The amount of each un-cashed check
- The meal counts by meal type and tier level

This information will be sent to:

California Department of Education  
Nutrition Services Division  
Program Integrity Unit  
1430 N Street, Suite 1500  
Sacramento, CA 95814-5901

After the CCFP returns the un-cashed funds to CDE, providers affected will have to request reimbursement from CDE should they wish to seek payment.



## **Record Retention:**

Providers must maintain records on file including documentation of:

- Attendance (Child In/Out Times)
- **Enrollment (If using KidKare.com make sure to print a copy, send the original and keep the copy for your records)**
- Meal Counts
- Menu

Providers must maintain records that support their program activities for three years plus the current year including the current month the provider has not yet submitted.

Providers may store the remaining two years of records offsite; but must be readily accessible with a reasonable timeframe (fourteen days). If off-site storage is not used providers must retain three years of records on site. Hard copy or electronic format is acceptable. Failure to maintain required records shall be grounds for denial or reimbursement.

**If a provider is using the KidKare.com the attendance, meal counts and menus are already stored via internet so no physical copy is required.**

Should a provider have technical issues or an inability to log records into KidKare.com due to technical issues, the provider must complete the supplemental or hard copy version of the record and must maintain it on file for the afore mentioned timeline.

## **Procedures on Household Contacts:**

In order to verify the enrollment and attendance of the children in care and the specific meals that are routinely served to them, the 4C's CCFP is required to follow Nutrition Services Division (NSD) of the CDE process for household contacts.

## **Reasons for household contacts to be made:**

- Provider claims a greater number of children at any meal than the number of children enrolled or in attendance.
- Provider claims weekend or holiday meals when such meals are not substantiated by enrollment or attendance records.
- Provider reports uniform meal counts on a consistent basis. While the meal counts may not always rise to the level of block claiming, they raise suspicions about the provider's claiming practices.
- Provider records a constantly high number of children in attendance; which is in conflict with the amount verified at the time of a Site Review.



**Verification process:**

1. 4C's CCFP Representative contacts the parent by mail using the CACFP Audit form and includes the following statement:

The Child and Adult Care Food Program is administered in California by the Community Nutrition Programs Unit, Nutrition Services Division, California Department of Education located at 1430 N. Street, Suite 1500, Sacramento, California 95814. The toll free number is 800-952-5609.

2. If there is no reply within two weeks, a 4C's CCFP Representative will contact parent by phone and document the details using the Child and Adult Care Food Program Audit form.

**Training:**

Providers must attend a two-hour annual training or equivalent for the fiscal year in which a claim is submitted. The 4C's CCFP fiscal year begins in October and ends September. Providers must attend a 4C's CCFP conducted training that addresses the required CACFP topics. 4C's CCFP has several options for providers to complete their annual training requirement. Online, by live workshop or by mail in.

Topics are to include but are not limited to the following:

- CACFP Meal Patterns
- Reimbursement processes
- Claims submissions
- Grocery Shopping
- Mealtime Socialization
- Minute Menu Software
- Reimbursement processes
- Safety and Sanitation
- Etc.

**Online:**

During a three-month window (to be determined annually), 4C's CCFP will host an online test program specific questions on the CACFP rules and regulations. Providers can take it as many times as they wish. A score of 75% or higher is required to pass. Online training will typically be available between the months of November to January.

**Live Workshops:**



4C's CCFP puts out a schedule of several dates within the fiscal year when providers can complete their training requirement by attending a workshop. Live workshops will generally be held in June, July or August. Workshops will last 2 hours and cover topics listed above in addition to current events related to the CACFP, KidKare.com or other topics that are pertinent to the 4C's CCFP. No test is required.

**Mail-in Test:**

A provider can choose to take a mail-in test. The mail in test may be printed from the 4C's CCFP Website or a physical copy may be sent to them in the mail. Providers have a specified deadline for the mail-in test. A score of 75% or higher is required to pass. Mail-in tests are available upon request.

**CCFP Staff/"Key" Staff Training:**

4C's CCFP Staff are all required to complete CACFP Trainings and Quizzes. At least one CCFP Staff will attend any live CACFP Trainings or Workshops. CCFP Staff will orient or provide training to the other staff members that were not able to attend live CACFP Trainings or Workshops held.

CCFP staff training topics are to include but are not limited to the following:

- The CACFP requirements for participating FDCHs
- CACFP Meal Patterns
- Reimbursement Processes
- Claim Submissions
- Monitor duties and responsibilities
- Monitor review forms and other records you may need to keep, such as mileage records
- FDCH eligibility requirements;
- Civil rights compliance and enforcement;
- How to monitor meal counts, conduct five-day reconciliations, and other review requirements
- How to schedule reviews and how monitors are assigned to facilities.

Training will be done through:

1. Monthly meetings
2. In house trainings
3. Mandatory online trainings provided by California Department of Education, Nutrition Services Division
4. Attendance at CACFP Roundtable Annual Conference
5. Attendance at CACFP Roundtable meetings



### **Site Monitoring:**

To ensure proper USDA CACFP procedures and regulations are upheld by the provider 4C's CCFP Staff will conduct site reviews. A total of three site reviews per provider per fiscal year is the requirement.

4C's CCFP Staff will conduct site reviews during the DCH hours of operation three times during each fiscal year in order to review the meal and/or snack service and program records. At least two of the visits must be unannounced and during either a meal or snack. No more than six months may elapse between visits. For new providers the first shall be within the providers first four weeks of the first claim date.

4C's CCFP Staff have the authority to disallow any meal due to failure of provider compliance. 4C's CCFP staff must report problems to the CCFP Manager; they can call licensing and report any findings, document reasons for disallowance and record actions to be taken.

4C's CCFP staff will draft up a Corrective Action Plan with providers. providers are expected to adhere to the terms outline in the Corrective Action Plan. Once the Corrective Action Plan has been agreed upon the 4C's CCFP and the provider sign the document. A copy of the Corrective Action Plan will be given to the provider and one copy will be retained by the 4C's CCFP for documentation purposes. An unannounced follow-up visit will occur within thirty days.

### **Serious Deficiency:**

4C's CCFP must initiate action to terminate the *Permanent Agreement Between a Sponsor and a Day Care Home Provider* with a DCH provider if the CCFP determines the provider has committed one or more serious deficiencies (SD) listed below. If the provider does not take action to fully and permanently correct the SD within the allotted time, the provider's agreement must be terminated.

1. Submission of false information on the application *Permanent Agreement Between a Sponsor and a Day Care Home Provider*.
2. Submission of false claims for reimbursement.
3. Simultaneous participation under more than one sponsoring organization.
4. Noncompliance with the program meal pattern.
5. Failure to keep required records.
6. Conduct or conditions that threaten the health or safety of the children in care, or the public health or safety.
7. A determination that the provider has been convicted of any activity that occurred during the past seven years that indicated a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, and theft, 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.

8. Failure to participate in training
9. Any other circumstance related to nonperformance under the Sponsor/Provider Agreement as specified by the sponsor or the state agency.

The provider must correct the SD findings within thirty days from the receipt of a SD notice. If the corrective action is/are not permanently corrected the 4C's CCFP will immediately propose termination and disqualification of the Provider.

### **Proposed Termination of Agreement:**

If a Provider fails to correct the SD in the allotted time, CCFP will issue a Notice of Proposed Termination and Proposed Disqualification to the provider and must confirm receipt of the notice using Certified Mail.

4C's CCFP shall terminate and seek restitution of any overpayment from any provider which the 4C's CCFP determines to be SD.

Termination of the provider shall make the provider ineligible to participate in the food program or another sponsor organization during the remainder of the fiscal year in which it is terminated and possibly the subsequent two fiscal years, unless appropriate corrective actions preventing recurrence of the deficiencies has occurred.

In the event that Legal action must be taken to enforce the overpayment by the 4C's CCFP, the provider will be responsible for all-legal costs and fees.

The provider has the right to appeal the termination and thus has the right to hire an attorney and has the right to an impartial or non-bias moderator, however all legal fees are the providers responsibility.

### **Appeals to Termination:**

All DCH providers who receive a notice of intent to terminate and disqualify participation in the CACFP for cause have the right to appeal that termination and disqualification and request an administrative review appeal. An appeal is a process by which an impartial hearing official reviews information provided by 4C's CCFP and the provider to determine if procedures were followed and were within federal and state laws, regulations policies and procedures governing the CACFP. The procedure for an appeal is as follows:

### **Purpose:**



The CACFP appeal procedure allows providers participating in the program an avenue for appealing the action of the CCFP.

A provider may appeal (request an administrative review) when the CCFP:

1. Proposes termination of the provider's program participation
2. Proposes to disqualify the provider from future CCFP participation
3. Suspends the provider's agreement for program participation

**Procedure:**

**Notification, request, and procedure for hearing:**

1. Whenever the 4C's CCFP takes action that will affect the participation of a provider in the CACFP, the 4C's CCFP will inform the provider in writing of the action and the grounds upon which its decision is based. 4C's CCFP will advise the provider of their right to appeal.
2. Upon receipt of the letter of proposed termination and disqualification, the provider must submit to the 4C's CCFP a written request for appeal postmarked no later than fifteen calendar days from the date the notice of proposed termination and disqualification was received by the provider. The original and one copy of the appeal request must be sent to the 4C's CCFP via certified mail. The address is as follows:

Attn: Brian V. Humber 4C's CCFP Manager  
4C's of Santa Clara County, Inc.  
150 River Oaks Parkway  
San Jose CA, 95134

4C's CCFP will forward the original copy of the appeal request to the hearing official via certified or interoffice mail. The hearing official will acknowledge receipt of the request for appeal to both the provider and 4C's CCFP within ten calendar days. This notice must be in writing.

3. The provider may refute the charges by providing written documentation to the hearing official. In order for the providers request for an appeal to be considered, written documentation must be filed with the hearing official within ten calendar days of the request for appeal. 4C's CCFP will forward the information to the hearing official no later than five calendar days after the addition written documentation is filed with the 4C's CCFP. The hearing official will review only the written documentation/record unless there are extenuating circumstances, as defined by the hearing official. The provider may select to have a written review, written review with oral argument, or an oral hearing. The hearing official will set



the time and place for the review of the provider records and 4C's CCFP records, if there is an oral hearing.

4. In the case of an oral hearing, failure of the provider to appear at a scheduled hearing will forfeit the providers right to appeal.
5. The provider may represent him/herself, may be represented by another person, or may retain legal counsel.
6. Any information on which the Sponsor's action was based will be available to the provider for review. The hearing official will make copies of this information available to the provider, if necessary.
7. The hearing official will make a decision based solely on information provided by 4C's CCFP, the provider and on program regulations, federal and state laws, and procedures governing 4C's CCFP and the *Permanent Agreement Between a Sponsor and a Day Care Home Provider*.
8. The provider, the 4C Council Executive Director, and the CDE, NSD, must be notified in writing of the hearing official's final decision within 30 days from the date of receipt of the request for appeal.
9. The provider may continue to operate during an appeal of proposed termination unless there is evidence of eminent threat or danger to the health or welfare of the children.
10. Providers continuing to operate while appealing the proposed termination will be reimbursed for any eligible meals served during the period of the appeal.
11. During the period of the review by the hearing official, 4C's CCFP will not take action to collect or offset any overpayment noted in the termination letter.
12. The decision by the hearing official is the final administrative decision. There is no further opportunity to appeal to the CDE.
13. If the provider loses the appeal, the termination date of the agreement is the date of the hearing official's decision.
14. The provider will be placed on the National Disqualified List of Providers for a period of seven years, or until such time that 4C's CCFP, in consultation with CDE determines that the SDs have been corrected. However, if any debt relating to the SDs has not been repaid, they will remain on the list until the debt has been repaid.

#### **Appeal Procedure-Notice of Suspension:**

Whenever 4C's CCFP suspends the participation of a provider for the imminent threat to the safety or health of children, the provider must be notified both verbally and in writing that CACFP participation has been suspended; that the DCH is in SD and that the 4C's of Santa Clara, Inc. proposes to terminate the providers agreement for cause. The written notification must be sent by certified mail.



1. The notice must specify the SDs found and state that the provider has the opportunity for an appeal of the proposed termination and disqualification from the CACFP.
2. The written notice must inform the provider that CACFP participation, including all payments, will remain suspended until the appeal is conducted.
3. The written notice must inform the provider that if the hearing official overturns the suspension, the provider may claim CACFP reimbursement for eligible meals during the suspension.
4. The written notice must inform the provider that termination of the CACFP agreement will result in being listed on the National Disqualified List of providers. The provider will remain on this list for a period of seven years or until such time that the 4C's CCFP in consultation with CDE, determines that the SDs have been corrected. However, if any debt related to the SDs has not been repaid, they will remain on the list until the debt has been repaid.
5. The written notice must inform the provider that if he/she seeks to voluntarily terminate the CACFP agreement after receiving the notice of proposed termination, the provider will still be considered terminated for cause and 4C's CCFP will propose to place the provider on the National Disqualified List of providers.

#### **Provider Qualification:**

DCH providers are eligible to participate in the CCFP if they are under a sponsoring organization. A Child and Adult Care Food Program Day Care Home Site Application must be filled out and accepted by the CDE Child Nutrition Information Payment System database.

All Providers under 4C of Santa Clara, Inc. must have a Child Care License or certified as a TrustLine provider.

#### **Recruitment:**

4C's CCFP abides by CACFP recruitment policy guidelines. The recruitment policy is as follows:

1. Outreach: Posting public media announcements during the first quarter of each new year.
2. Compiled list of Providers obtained from:
  - a. Newly licensed DCH from the Santa Clara and San Mateo County Social Services, Community Care Licensing departments.
  - b. List of TrustLine verified exempt providers from 4C's of Santa Clara County Resource and Referral Department.



- c. Providers interested in enrolling in 4C’s CCFP through telephone leads and the 4C’s CCFP website request email system.
- 3. Attend Sponsor Organization meetings/trainings with other departments and provide information regarding the CACFP.
- 4. Providers who are interested may request to join 4C’s CCFP and set a date for a Pre-operational visit. Providers must have
  - a. A current family child care license
  - b. Means to record attendance and menu forms (internet, manual forms, scan forms)
  - c. Tier (Provided by 4C’s CCFP)
- 5. 4C’s CCFP conducts a preapproval site visit and a training session with the DCH provider where CACFP nutrition, program guidelines, record keeping on Minute Menu software and an enrollment packet including an application and relevant Sponsor-Provider agreement documents are completed.
- 6. The provider is notified that they can begin the daily claim process after the provider’s application has been approved by CNIPS.
- 7. 4C’s CCFP representative coordinates with the new provider to conduct a four-week follow-up visit to ensure the provider is in compliance with CACFP guidelines and any technical issues or assistance.

### CACFP Reimbursable and Non-Reimbursable Food Items:

#### Milk:

For children aged two years and above, only 1% milk (low-fat milk) or non-fat milk (fat-free milk) can be served. Whole milk and reduced fat milk (2%) may not be served to children over two years of age unless a medical statement is signed by a licensed medical authority.

Meals that contain 2% or whole milk for children over two years without a medical statement will be disallowed (non-reimbursable) unless the children have a Parents/Guardian’s Fluid Milk Decline Statement on file.

Non-dairy milk substitution’s in lieu of cow’s milk is allowed if parents/guardians of the day care child submit a *Parental Request for a Fluid Milk Substitution*, without providing a medical statement from a medical authority. The document must identify the special dietary need that requires a non-dairy milk substitution. Non-dairy milk substitutions must be nutritionally equivalent to cow’s milk and meet nutritional standards listed below:

Nutrient	Requirements as Stated in Federal Regulations (Per cup)	RDI	%RDI*
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Calcium	276 mg	1000 mg	27.60%
Protein	8 g*	50 g	N/A
Vitamin A	500 IU	5000 IU	10.0%
Vitamin D	100 IU	400 IU	25.0%
Magnesium	24 mg	400 mg	6.0%
Phosphorus	222 mg	1,000 mg	22.2%
Potassium	349 mg	3,500 mg	10.0%
Riboflavin	0.44 mg	1.7 mg	25.90%
Vitamin B-12	1.1 mcg	6 mcg	18.30%

Soy milk brands known to be reimbursable includes: 8<sup>th</sup> Continent Soy Milk, Pacific Natural Foods Ultra Soy and Kirkland Soy Milk.

**Water:**

Water should be made available to children to drink upon their request. Water may be made available to children during meal times; however, it is not counted as part of the reimbursable meal and may not be served in lieu of milk. During meal times if a child requests water, it should be given in a separate cup from the milk, so that both are served.

**Meat/Meat Alternates:**

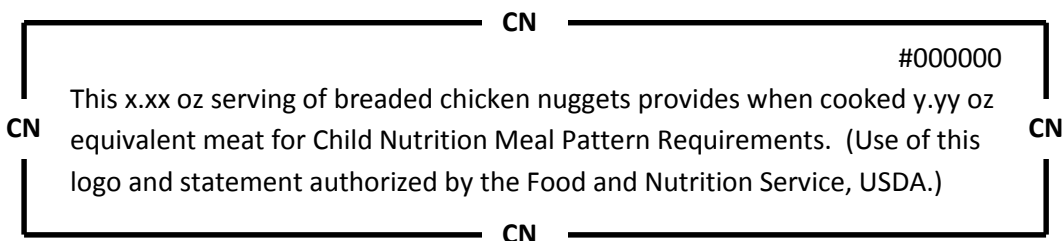
**Processed meats and Child Nutrition Labels (CN):**

The USDA requires that providers who are serving processed meats (luncheon, breaded, patty) should verify if those products are CN labeled. It is recommended to serve processed meats no more than one time per week or none at all.

A CN label must contain the following:

- The CN logo, notated by the distinct border.
- A CN reference number in the top right hand corner
- The meal pattern contribution requirement listed in the text of the label
- An authorize statement from the USDA

See the below sample:





**Binders or Extenders in Processed Meats:**

Cooked, cured meat and or poultry sausage if served must not contain any bi-products cereals, binders or extenders. Bologna, frankfurters, knockwurst and Vienna sausages contain binders or extenders and are thus non-reimbursable. Binders or extenders include but are not limited to the following ingredients: soy flour, starchy vegetable flour, calcium reduced dried skim milk, soy protein concentrate, cereal, isolated soy protein, dried milk and carrageenan.

**Shelf Stable Dried Meat Snacks:**

Shelf stable dried meat, poultry and seafood snacks are not reimbursable meat alternates. Examples of shelf stable dried meats, poultry and seafood snacks include but are not limited to the following: smoked snack sticks made of beef and chicken, pepperoni, and pepperoni sticks, meat, poultry, or seafood jerky, meat or poultry nuggets such as turkey nuggets and summer sausage.

**Fish Sticks:**

Fish Sticks containing minced fish are non-reimbursable. Check the ingredients list on the nutrition facts to be certain.

**Dried Beans or Peas:**

Dried beans or dried peas may be used as a meat alternate or as a vegetable component, but cannot be counted as both components in the same meal or snack.

**Nut Butters/Nuts/Seeds:**

During lunch or dinner meals peanut butter or other nut butters, nuts or seeds claimed as a meat alternate should be combined with another meat/meat alternate to fulfill the requirement.

**Yogurt:**

If yogurt is used as a meat component in snacks, milk (dairy) cannot be used to satisfy the second component requirement. Commercially added fruit in flavored yogurt cannot be used to satisfy the second component requirement in snacks. Home-made yogurt is non-reimbursable.

**Cheese:**

Cheese items labeled, imitation cheese or cheese products are non-reimbursable. Cheese singles that say cheese products are non-reimbursable. Cheese blocks or pre-cut sliced cheese is reimbursable.

**Bread/Bread Alternates:**

Foods that qualify as grains/breads in the CACFP should be made from enriched or whole grain or from enriched or whole-grain meal or flour. This must also be the first ingredient on the ingredient list of the nutrition facts for the food item.

### Enriched vs. Fortified - both are reimbursable

“**Enriched**” means vitamins and minerals have been added to **replace** what was **lost** during processing (Iron, Thiamine (B1), Riboflavin (B2), Niacin (B3) and Folic Acid). Enrichment is regulated by the USDA.

“**Fortified**” mean vitamins and/or minerals have been **added** to the food item that was **not originally in the food** to begin with (Vitamin D in milk).

A grain is defined as the seed of a plant that is used for food. Examples of grains are wheat, rice, oats, corn and barley. Grains can be **whole-grains** or **refined**.

**Whole-grains** are grains that contain the **entire grain kernel** (bran, germ, and endosperm). Refined grains have had the **bran** and the **germ** removed.

Both whole-grains and refined grains are reimbursable however the USDA recommends for half of the bread/bread alternates be whole-grain. Use this information when shopping to ensure USDA recommendations are met. Below is a stamp used to note the whole-grain content of an item:



Note that not all bread/bread alternates will display this sticker so be aware of ingredients lists to see if an item is a whole-grain item or not.

### Gluten-free

Gluten is a protein found in certain grains such as wheat barley and rye. Gluten-free diets are prescribed for people who have diagnosed with celiac disease or gluten sensitivity. If a child is on a strict diet and the parent wants to supply all of the child’s





food, they would need to fill out a *Parent/Guardian's Form for Declining Participation in the Child and Adult Care Food Program*.

Cereals should have less than six grams of sugar per serving. Cereals that contain more than 6 grams of sugar are still reimbursable as long as they are whole-grain, enriched or fortified.

Corn items such as taco shells, corn tortillas or other corn products should be made with enriched or whole corn.

Limit cookies and sweet snack items to **no more than twice per week**.

### **Vegetables/Fruit:**

Each plate should contain half a plate of fruits and vegetables in accordance with the new food pyramid guidelines or ChooseMyPlate.gov.

The total vegetable intake for children is low and the intake of dark-green vegetables, orange vegetables, and beans and peas is very low for children.

Nutrients in fruits and vegetables includes calcium, fiber, folate, iron, magnesium, potassium, sodium and vitamin A and C which are all essential parts of a child's nutrition during this critical stage (growing) of the life cycle.

### **Vegetable Subgroups:**

Dark-green - broccoli, spinach, romaine, collard, turnip and mustard greens, bok choy and kale

Red and Orange - carrots, sweet potatoes, tomatoes, red peppers, pumpkin, winter squash

Dried beans and peas - black beans, black-eyed peas, garbanzo beans, kidney, lentils, navy beans, pinto, soy bean, split peas, white beans

Starchy vegetables - potatoes, corn, green peas, lima beans, jicama, plantains

Other vegetables - asparagus, avocados, beets, Brussels sprouts, cabbage, cauliflower, celery, cucumber, eggplant, green beans, green peppers, iceberg, mushrooms, okra, onions, turnips, zucchini

### **Fruit Subgroups:**

Whole (100%) Fruit - orange, apple, grape, grapefruit

Berries - strawberries, blueberries, raspberries

Melons - cantaloupe, honeydew, watermelon

Mix fruit - cocktail



Fresh, frozen or canned are all fine choices. However canned fruits and veggies should be labeled “no salt added” or “low sodium”. And frozen fruits and veggies should not contain solid fats, sugar or sodium.

**Juice:**

Only 100% Juice must be served and only during snack. And Juice served as a fruit/vegetable during lunch or dinner is not reimbursable. Serve 100% juice no more than **two times** per week during snack. **Juice cannot be served when milk is served as the other component for snack.**

Eat a colorful variety of fruits and vegetables every day.

**Choking Hazards:**

Some foods are easy for children to choke. These include foods that are round and about the size of the throat -about the size of a nickel. Prevent choking by avoiding the foods listed below; avoid cutting foods into small enough pieces to choke on (no larger than half an inch).

Foods that may be choking hazards:

- Carrot Sticks or baby carrots
- Cherry Tomatoes
- Chewing gum
- Chips
- Etc.
- Hard Candy
- Peanuts
- Popcorn
- Round slices of hotdogs or sausages
- Tough meat
- Whole Grapes

**Technics to lower choking risk:**

- Cook carrots or celery until soft, grate, or thinner
- Cut meat and chicken across the grain
- Sit while eating (avoid vigorous activity while eating)
- Slice grapes, cherry tomatoes and other round foods in half.
- Slice hotdogs and sausages length-wise
- Spread peanut butter thinly instead of thick and lumpy



## Civil Rights: Ethnic and Race Data Collection Methods

As of the 2009-2010 Fiscal Year, the United States Department of Education (USDE) issued new guidance on collection and reporting of ethnicity and racial data for public school students and staff. The guideline implements new federal ethnicity and race categories developed to obtain a more accurate picture of the nation's diversity. The new data collection process asks 4C to answer the two-part question to indicate ethnicity then race for each child in care.

As a USDA, CACFP participant 4C must conduct ethnic and racial data collection. If none of the ethnicity or racial information was given voluntarily on the CER or the MBF, 4C CCFP Staff members will conduct visual observation of missing children's data. This data will not be used to check immigration status and will remain confidential for each child.

Effective June 9<sup>th</sup>, 2014, all new CERs will require an entry for ethnicity and race.

## Civil Rights: Complaint Procedures

4C is an equal opportunity employer.

The 4C Council of Santa Clara County will adhere to the civil rights and complaint procedures as outlined in the Civil Rights and Complain Procedures of the California Department of Education, Nutrition Services Division. Available at:

<https://www.cde.ca.gov/ls/nu/cr/>

The Civil Rights Coordinator for 4C's Council of Santa Clara County is Colette Kudumu, Director of Compliance, Resource and Referral Department. 4C's CCFP participants will address their civil rights complaints to:

Colette Kudumu  
Director of Compliance  
4C's of Santa Clara County, Inc.  
150 River Oaks Parkway  
San Jose CA, 95134

In order to meet the federal civil rights requirements for child nutrition programs, the 4C will maintain a complaint log and work with the appropriate people to resolve the complaint.

The complaint log will include (at minimum) the following information:

**CCFP Child Care Food Program**

Revised 02/14/18



- The name, address and telephone number of the complainant
- The specific location and name of the entity delivering benefits
- The nature of the complaint or action that led to the charges being filed

If the nature of the complaint appears discriminatory, the Civil Rights Coordinator will collect the following information:

- The basis on which the complainant, feels that the discrimination occurred. In order to be considered a discrimination complaint, the complainant must feel discriminated against based on one or more protected classes.
- The names, titles and if known, addresses of persons who may have knowledge of the discriminatory action or situation.
- The date that the alleged discrimination occurs or the duration of such action.

Where to file a complaint:

To file a program or civil rights complaint, contact one of the following agencies listed below:

Child Nutrition Program  
Civil Rights and Program Complaint Coordinator  
California Department of Education  
Nutrition Services Division  
1430 N Street, Room 1500  
Sacramento CA, 95814-2342  
(916) 445-0850 or (800) 952-5609

Office of Civil Rights  
USDA, Western Region  
90 Seventh Street, Ste. 10-100  
San Francisco CA, 94013  
(415)705-1336 or FAX: (415) 705-1364

USDA, Director, Office of Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410  
(800) 795-3272 or (202) 720-6382

Note: All complaints of discrimination will be investigated and processed by the USDA. All program complaints filed with the NSD will be resolved at the appropriate program or Field Services Unit, and track



it through resolution. The NSD reserves the right to conduct unannounced site visits to determine the validity of all allegations.

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or by fax (202) 690-7442 or by email at [program.intake@usda.gov](mailto:program.intake@usda.gov). Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer.

4Cs is an equal opportunity employer.