

# CACFP Annual Training for Day Care Homes

Online Course Workbook



# Introduction

This workbook supplements “Child and Adult Care Food Program (CACFP) Annual Training for Day Care Home Providers.” This training is offered by the Pennsylvania Sponsors Association.

## OVERVIEW OF LESSONS

**Lesson 1:** What is the CACFP?

**Lesson 2:** CACFP Requirements

**Lesson 3:** Meal Components and Patterns

**Lesson 4:** Menus, Special Dietary Needs, and Food Safety

**Lesson 5:** Civil Rights

**Lesson 6:** Serious Deficiency

**Area of Focus:** CACFP for Day Care Home Providers

# Lesson 1



## By the end of this lesson, you will be able to...

1. Recall the three CACFP performance standards
2. Recognize eligible participants in the CACFP
3. Identify the programs that are eligible to participate in the CACFP



## REMEMBER THIS

- Eligible participants in the CACFP include children through the age of 12, adults over 60, children through 18 participating in the at risk afterschool care meals program or residing in emergency shelters, and individuals with special needs.
- Eligible CACFP programs include public or private nonprofit or for-profit child and adult care centers, Head Start programs, afterschool care centers, day care homes, and emergency shelters.
- Programs participating in the CACFP must meet and maintain the three performance standards of financial viability and financial management, administrative capability, and program accountability.

# Lesson 2



## By the end of this lesson, you will be able to...

Identify the steps necessary to remain in compliance with CACFP regulations regarding training, claims submission and program oversight



## 10 Most Frequent Review Findings

*(% and number of sponsors and sites with findings - 545 sponsors and 906 sites reviewed)*

- 54% (294) – Meal count records did not support the claim
- 49% (267) – Participants were claimed in the wrong eligibility category
- 32% (173) – Insufficient documentation of food items used and quantity prepared
- 30% (166) – Meal benefit income eligibility form did not contain all required information
- 28% (151) – Claimed enrollment count was incorrect
- 26% (142) – Claimed participants enrollment records did not contain all required elements or were expired
- 22% (119) – Insufficient quantities of food prepared
- 19% (104) – Meal production records were not compliant with meal components
- 19% (103) – Expenses were not approved and allowable
- 15% (84) – Training documentation not maintained



## Are You Prepared?

What have you found to be your biggest struggles during monitoring visits? What steps could you take to improve? Write down your thoughts in the space provided.

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## Rate Your Program

Consider each item on the list. How ready is your program? If you find an area of concern, you can make notes to follow up on later!

Is it posted?	Yes	No	Notes
Current license/health and safety inspections			
And Justice for All poster location can be easily viewed			
Building for the Future			
Current menu posted where it can easily be viewed			

Meal Service Observations	Yes	No	Notes
Meal served matches posted menu			
Meal served includes all required meal components			
All food components served in the required portions			
Participants encouraged to consume the complete meal			
Non-creditable foods served with the meal			
Non-creditable foods compete with the required components			
All staff trained regarding meal patterns and creditable food			
Participants assisted if necessary			

Adequate time allowed for the meal service			
Actions noted that demonstrated food used food as rewards or punishment			

<b>Civil Rights</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
Participants provided the same opportunities to participate in all activities			
Participants given the same meal (except for those with medically supported substitutions)			
Any civil rights complaints filed in the last year? <input type="checkbox"/> N/A			
Is civil rights log available?			
Materials available in language other than English (where applicable) <input type="checkbox"/> N/A			

<b>Recordkeeping</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
Substitutions written on the printed, posted menu			
Menu demonstrates nutritional variety			
Menu demonstrates variety in color and texture			
Non-reimbursable meals identified and not counted (substitutions made for non-medical reasons)			
Attendance taken as participants arrive			
Meal counts taken at point of service, and daily meal counts recorded only for meals served			
Attendance and meal counts reconcile for the past five days			
Separate menus for each age group for infants in care			

<b>Vended Meals</b> <input type="checkbox"/> N/A	<b>Yes</b>	<b>No</b>	<b>Notes</b>
Meals checked upon delivery for all components			
Temperatures taken upon delivery and recorded			
Information documented on the daily delivery slip			

<b>Sanitation</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
Kitchen/food preparation area clean and sanitary			
Appropriate hygiene practices observed by all food handlers			

Food stored properly in refrigerator			
Dry goods stored at least 6 inches off the floor and separated from chemical/cleaning products			
Dishwashing facilities adequate for washing, rinsing and sanitizing			

<b>Prior Corrective Action</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>
Required corrective action implemented			
Problems permanently corrected			



## **REMEMBER THIS**

- All sites have to receive annual training on all required training topics.
- Sponsors need to complete edit checks to ensure that only approved meal types are claimed and that no more than the maximum number of meals have been served to each eligible participant each day.
- Multifaceted program oversight is designed to help you remain in compliance and operate a successful Child and Adult Care Food Program.

# Lesson 3



## By the end of this lesson, you will be able to...

1. Recognize the standard meal pattern requirements for the CACFP
2. Identify the minimum quantities of the required food components by age group



## Eat the Rainbow

Draw a line from the fruit/vegetable color group to the correct description of the health benefits they provide. *(Check your answers in the back of the workbook)*



Contain beta-carotene and Vitamin B, and strengthen your immune system.



May help reduce cancer and add color and variety to your plates.



High in phytochemicals, essential vitamins and fiber, and support eyesight and provide calcium to support healthy bones and teeth.



May lower cholesterol and blood pressure, and help the body fight infections.



Help reduce cancer and heart disease by containing Lycopene.



## Fruits and Vegetables

Select correct or incorrect for each fruit / vegetable component combination. If a combination doesn't meet the meal pattern requirement, make any necessary corrections in the space provided. *(Check your answers in the back of the workbook)*

1. A. 1/4 c. Mixed vegetables (corn, peas, green beans, carrots, lima beans)  
B. 1/2 c. Baked lima beans

Correct    Incorrect \_\_\_\_\_

2. A. 1/2 c. Baked corn  
B. 1/8 c. Applesauce

Correct    Incorrect \_\_\_\_\_

3. A. 1/2 c. Fruit cocktail (peaches, pears, pineapple, grapes, and cherries)  
B. 1/4 c. Baked apples

Correct    Incorrect \_\_\_\_\_

4. A. 1/4 c. peas and carrots  
B. 3/4 c. Shepherd's pie (mixed vegetables, tomatoes, mashed potatoes)

Correct    Incorrect \_\_\_\_\_

5. A. 1/2 c. Ham and green beans with potatoes (green beans, potatoes)  
B. 1/4 c. Pineapple slices

Correct    Incorrect \_\_\_\_\_

6. A. 1 small, 1/2 c. minimum, Baked potato  
B. 1/4 c. Sliced tomatoes

Correct    Incorrect \_\_\_\_\_



## Meat Alternate

Which of these food items are creditable meat alternates? Select yes or no.  
(Check your answers in the back of the workbook)

Creditable Meat Alternate or Not	Yes	No
1. Ricotta cheese		
2. Egg whites		
3. Falafel		
4. Yogurt with fruit		
5. Nuts		
6. Hummus		
7. Cheese-filled ravioli		
8. Bean soup		
9. Cream cheese		
10. Quiche		
11. Beef jerky		
12. Cheese pizza		
13. Edamame (fresh soy beans)		
14. Seeds		
15. Lentils (also dry peas)		



## Find the CN Labeled Food

Circle the foods requiring CN Labels, Product Analysis Sheets, or approved home recipes. (Check your answers in the back of the workbook)

Sample Menu for Children Ages 3 - 5					
Meal/ component	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Breakfast</b>					
Fruit / vegetable	Orange segments	Mixed fresh berries	100% Apple juice	Banana	Peaches
Bread / grain	Whole wheat toast	Cheerios	Blueberry muffin	Oatmeal	Eggs / Sausage Pistolette
Milk	Fat free white	Fat free white	Fat free white	Fat free white	Fat free white
<b>Snack</b>					
Fruit / vegetable	Pears		Frozen juice pop		Fresh melon
Bread / grain		Oatmeal cookie	Whole wheat toast	Pretzel sticks	
Meat / meat alternate	Cottage cheese				
Milk		1% chocolate milk		1% Milk	1% Milk
Other foods	Water	Water	Water	Water	Water
<b>Lunch / Supper</b>					
Fruit / vegetable	Mandarin fruit salad	Potato pancake	Cole slaw	Fresh pears	Peppers, onion, tomato sauce, & mushrooms
Fruit / vegetable	Mashed sweet potato	applesauce	Chicken stir fry bowl over rice	Mixed green salad	Carrot sticks
Meat / meat alternate	Grilled chicken breast on pretzel roll	Breaded fish sticks on whole wheat roll		Beef ravioli	Cheese pizza
Bread / grain					
Milk	1% milk	1% milk	1% milk	Fat free milk	1% milk



## REMEMBER THIS

- The CACFP requires specific meal patterns that consist of required food items, or components, for each meal offered to children and adults in care.
- The food components include milk, fruits and vegetables, grains or breads, and meats or meat alternates.
- The meal pattern for lunch and supper requires two separate fruits, two separate vegetables, or one fruit and one vegetable.

# Lesson 4



## By the end of this lesson, you will be able to...

1. Understand the menu requirements in the CACFP
2. Identify how to adapt menus for Special Dietary Requirements
3. Recall the most important principles of Food Safety



## Find the Ten Menu Mistakes

Circle the ten menu mistakes. (Check your answers in the back of the workbook)

Sample Menu for Children Ages 3 - 5					
Meal/ component	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Breakfast</b>					
Fruit / vegetable	Orange segments	Mixed fresh berries	100% Apple juice	Banana	Peaches
Bread / grain	Whole wheat toast	Cheerios	Blueberry muffin	Oatmeal	Wheat mini-bagel
Milk	Fat free white	Fat free white	Fat free white	Fat free white	Fat free white
<b>Snack</b>					
Fruit / vegetable	Pears		Strawberry preserves		100% orange juice
Bread / grain		Wheat crackers	Whole wheat toast	Pretzel sticks	
Meat / meat alternate	Cottage cheese				
Milk		2% chocolate milk		Vanilla pudding	1% Milk
Other foods	Water	Water	Water	Water	Water
<b>Lunch / Supper</b>					
Fruit / vegetable	Mandarin fruit salad	Potato pancake	Brown rice	Tomatoes in salad	Peppers, onion, tomato sauce, & mushrooms
Fruit / vegetable	100% orange juice	applesauce	Fresh salsa veggies	Mixed green salad	Carrot sticks
Meat / meat alternate	Baked chicken	Veal schnitzel	Taco beef strips	Ground turkey meatballs in sauce	Cheese & sea- soned turkey ground meat
Bread / grain	Mashed potatoes	Breaded mixture on veal	Wheat tortilla	Spaghetti	English muffin for pizza crust
Milk	1% milk	2% milk	1% milk	Fat free milk	1% milk



## Making “Whoa and Slow” Foods Healthier

Are you familiar with the “Go, Slow and Whoa” foods from the National Institute of Health? Go foods (also called green light foods) are healthier choices when menu planning. Slow foods (also called amber light foods) can be included limitedly. Whoa foods are the least healthy food choices (also called red light foods).

Circle the Slow and Whoa foods and write down a healthier food choice. *(Check your answers in the back of the workbook)*

1. 100% orange juice \_\_\_\_\_
2. Pancakes \_\_\_\_\_
3. Low fat milk \_\_\_\_\_
4. 100% beef hot dogs \_\_\_\_\_
5. Mashed potatoes \_\_\_\_\_
6. Candied sweet potatoes \_\_\_\_\_
7. Canned fruit cocktail in light syrup \_\_\_\_\_
8. Peanut butter \_\_\_\_\_
9. Fresh fruit salad \_\_\_\_\_
10. Carrots and yogurt dip \_\_\_\_\_
11. Canned peas \_\_\_\_\_
12. Apple crisp \_\_\_\_\_
13. Frosted shredded wheat squares \_\_\_\_\_
14. Potato tots \_\_\_\_\_
15. Corn tortilla \_\_\_\_\_



## Assessing Emergency Preparedness When Caring for Children with Food Allergies

When young children have food allergies, caregivers need to adapt menus and environments to prevent exposure. Using this table, assess your center or home's preparedness.

Assessment for Preparedness When Caring for Children with Food Allergies			
Action	Fully prepared	Moderately prepared	Take action to be prepared
1. Meals are served to prevent food sharing between children and the child with a food allergy.			
2. Children's faces and hands are washed upon arrival and after eating to prevent accidental exposure.			
3. A teacher or caregiver is assigned to observe the special needs child during snack and meal times.			
4. Arts and craft projects using food are evaluated for using foods to be avoided by children with special needs.			
5. Food and special occasion celebrations are planned to include special dietary needs of all children.			
6. Food preparers are aware of all special dietary needs.			
7. Menus are reviewed against the allergies of children with special dietary needs.			
8. Staff are trained in emergency responses for children with food allergies.			
9. Menus and recipes do not contain foods listed on medical plans for children with food allergies.			
10. Emergency medications are clearly marked with the child's name and staff are trained about administering the medications.			
11. Care is taken in the kitchen to avoid cross-contamination with foods listed to be avoided due to allergies of children.			
12. Know the symptoms of an allergic reaction.			



## Washing Hands Properly

### How:

- 20 seconds with soap and running water
- Lather and scrub well
- Scrub between fingers/under nails
- Rinse well with clean, running warm water
- Dry using a clean, disposable towel or air dry
- Use disposable towel to turn off water and touch surfaces such as bathroom or kitchen doors

### When:

- Before eating
- Before, during, and after preparing food
- Before and after treating a cut or wound
- After handling uncooked eggs, raw meat, poultry, seafood, or their juices
- After blowing your nose, coughing, sneezing, touching an animal or animal waste, touching garbage, or using the toilet



## Clean

### Washing Surfaces and Utensils

Prevent the spread of Bacteria and Viruses. Wash surfaces and utensils after each use.

#### Cleaning Surfaces:

- Use hot, soapy water
- Rinse with warm, clean water
- Check temperature of water often
- Check for traces of food debris or detergent

#### Sanitizing Utensils:

- In sink, submerge utensils for at least 30 seconds, using a chemical sanitizer (Solution: 1 tbsp. unscented, liquid chlorine bleach to 1 gal. of water)
- If using a dishwasher, check water temperature frequently

### Washing Fruits and Vegetables

Bacteria can spread from the outside to the inside as you cut or peel fruits and vegetables.

#### To prevent:

1. Cut away damaged or bruised areas
2. Rinse under running water
3. Scrub firmly with produce brush
4. Dry with paper towel or clean cloth

*Don't use soap, detergent, bleach, or commercial produce washes.*

### Do Not Wash Meat, Poultry, or Eggs

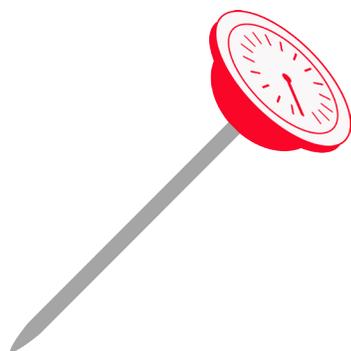
Washing raw meat and poultry can actually help bacteria spread, because their juices may splash onto and contaminate your sink and countertops. All commercial eggs are washed before sale. The handling of eggs, such as washing, may actually increase the risk of cross-contamination, especially if the shell becomes cracked.



## Separate

### Avoid Cross-Contamination

- Use separate cutting boards and plates for produce and for meat, poultry, seafood, eggs.
- Use separate plates and utensils for raw food and for cooked food.
- Keep meat, poultry, seafood, and eggs separate from all other foods in the refrigerator.
- Store food in packages, covered containers, or wrappings.
- Separate fruits and vegetables that have been washed from those that have not been washed.
- Separate above noted foods during receiving, storage and preparation.
- Ensure all equipment is properly cleaned and sanitized, including thermometers.
- Counters, equipment handles, scales, and other areas of the facility can be areas of cross-contamination.
- Check the concentration of sanitizing solution.



## Calibrating a Thermometer

### Ice-Point Method:

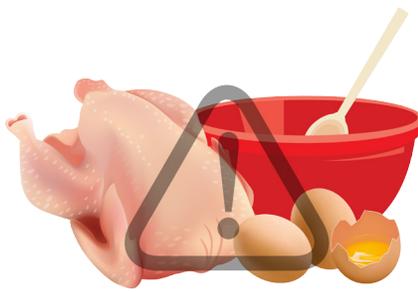
1. Fill a glass with crushed ice and add water until the glass is full.
2. Place the thermometer in the center of the glass of ice water careful not to touch the sides or bottom of the glass.
3. Stir the water/ice mixture to ensure even temperature distribution.
4. The thermometer should read 32° F or 0° C. If it does not, adjust the calibration nut as instructed in the thermometer's instructions until it registers 32° F or 0° C. For bi-metallic, this may require turning the nut with another tool or with the thumb. For digital, use the reset button.

### Boiling-Point Method:

This method is used with thermometers with scales starting at 32° and above.

1. Using a deep pan, bring water to a boil.
2. Place the thermometer in the center of the boiling water, not touching bottom and sides of pan, and hold until the indicator stops changing.
3. The thermometer should read 212° F. If it does not, adjust the calibration nut as instructed in the thermometer's instructions until it registers 212° F.

**To avoid burns, take caution to follow all safety rules.**



## 10 Most Dangerous Food Safety Mistakes

- 1 Tasting food to see if it is still “good”**

You cannot see or taste bacteria. Even the smallest taste can cause serious illness. When in doubt - throw it out.
- 2 Returning cooked meat to the same plate as when raw**

Bacteria/germs from raw meats can spread into cooked meats. Separate raw meat, poultry, and seafood from cooked meats.
- 3 Thawing food on the counter or in the sink**

Harmful bacteria/germs can multiply rapidly at room temperature. Thaw food safely in cold water changing often, in the refrigerator, or in the microwave.
- 4 Improperly washing meat and poultry, and eggs**

Washing meats, poultry and seafood spreads bacteria to countertops, sinks, and surfaces. These items are washed before purchase and do not require additional washing.
- 5 Letting food “cool” at room temperature before refrigeration**

Food spoils quickly when out of the safe zone - above 40° F and below 140° F. Cool quickly in shallow pans.
- 6 Eating cake batter and cookie dough, or other food with uncooked eggs**

Uncooked eggs can contain salmonella. Avoid eggs that are not cooked properly.
- 7 Marinating meats at room temperature**

Foods stored - even while marinating - at room temperature allows bacteria to multiply rapidly. Marinate in the refrigerator.
- 8 Retaining marinades, or sauces used to prepare food when serving cooked food**

Leftover marinades, and using sauces that have brushes or spoons used while cooking/ barbecuing for use on cooked foods spreads bacteria from uncooked or undercooked foods to cooked food.
- 9 Undercooking meats, poultry, seafood and eggs**

Food is only safe when cooked to a high enough temperature to kill bacteria. Undercooking foods allows bacteria to multiply and cause serious illness. Use thermometers to check food temperatures.
- 10 Not washing your hands properly**

Germs can contaminate food from your hands if not washed the right way. Wash hands and nails thoroughly using warm, running water and soap for a minimum of 20 seconds. Dry with clean paper towels. Wash when moving from uncooked food to cooked foods. Washing hands more often ensures safe food handling.



## REMEMBER THIS

- Sites are required to make modifications to menus when a physician declares a special dietary need that results in a disability for a participant.
- A temperature log should be started when food is delivered.
- Food handlers and participants should practice hand washing to prevent foodborne illness.

# Lesson 5



## By the end of this lesson, you will be able to answer...

1. What are civil rights?
2. Who is required to have civil rights training?
3. Why are civil rights important?
4. What are your responsibilities?

Definitions	
<b>Civil Rights</b>	The rights of individuals to receive equal treatment and to be free from unfair treatment or discrimination. These rights are guaranteed to all U.S. citizens by the 13th and 14th amendments to the constitution and by multiple acts of congress over several decades.
<b>Discrimination</b>	Different treatment that makes a distinction of one person or group of persons from others, by neglect, or by the actions or lack of actions from a program.



## The Four Ds Test

The 4Ds test is used to help you determine if a procedure or practice constitutes a civil rights violation. Fill in the blanks below to complete each question. *(Check your answers in the back of the workbook)*

1. \_\_\_\_\_ benefits or services that others received?
2. \_\_\_\_\_ in receiving benefits or services that others received?
3. Treated \_\_\_\_\_ than others, to their disadvantage?
4. Given \_\_\_\_\_ treatment that is, something that does not seem discriminatory, but has a discriminatory impact in practice?



## Six Protected Classes

What are the six protected classes? Fill in the blanks below. *(Check your answers in the back of the workbook)*

_____	_____
_____	_____
_____	_____



## Your Responsibilities as a Sponsor

- Assurances
- Collection and Use of Data
- Effective Public Notification Systems
- Complaint Procedures
- Compliance Review Techniques
- Resolution of Noncompliance
- Requirements for Reasonable Accommodations of Persons with Disabilities
- Requirements of Language Assistance
- Conflict Resolution
- Customer Service



## Where to include the Full and Short Versions of the Nondiscrimination Statement

### Full:

Printed Materials  
Websites

### Short:

Document of one page or less  
Novelty Items



## Civil Rights Complaint Checklist

The following items should be included in a Civil Rights Complaint.

- The name, address, and phone number of the complainant
- The name and location of sponsor
- Description of the discriminatory action
- Basis of the discrimination
- People who are likely to know about the alleged discrimination
- Date



## MUST DO LIST

- No discrimination
- Confidentiality
- Civil rights training
- Complaint procedure
- “And Justice for All” poster
- Non-discrimination statement
- Data collection
- Benefits and services to all who are eligible

\*For additional civil rights materials, see the appendix.

# Lesson 6



## By the end of this lesson, you will be able to...

1. Identify the factors involved in determining a serious deficiency
2. Understand how a serious deficiency impacts CACFP participation



## Corrective Action Plan - Accepted or Rejected?

Can you decide which corrective action plans should be accepted and which should be rejected? *(Check your answers in the back of the workbook)*

### 1. Submission of False Information on Claim for Reimbursement

In April, the sponsor reviewed your Claim for Reimbursement and noted that Abby Smith was present for all meals beginning on April 16th. However, the enrollment form indicates that Abby Smith did not start in your program until April 20th. The sponsor issues the Notice of Serious Deficiency and requires you submit a Corrective Action Plan.

After reviewing your records, you notice that the Enrollment Form was signed by Abby Smith's parent on April 20th; however, Mrs. Smith's original language was not English and she misunderstood the form. You provided the enrollment form to Mrs. Smith in Russian and this form notes that Abby started on April 16th and signs a statement that she misunderstood the original form. She also gives you a picture she took of Abby in front of your house on her first day of childcare. This information is given to the sponsor with a CAP that indicates all forms will be provided to the households in the households' first language.

CAP Accepted

CAP Rejected

## 2. Non-compliance with Required Meal Patterns

The monitor noted that records did not list milk on the menu for the week of the monitoring visit. After reviewing prior menus, milk was missing for all meals except for three snacks where milk was one of the components. The sponsor issues the Notice of Serious Deficiency and requires a Corrective Action Plan.

After receiving the Notice of Serious Deficiency, the provider checks the menu and realizes that she indicated that milk is served with all main meals at the bottom of the menu form. She decides the monitor made a mistake, and sends an e-mail to the sponsor and says the monitor is wrong and that milk was served when the monitor observed the meal.

CAP Accepted       CAP Rejected

## 3. Failure to Repay Overclaim

The sponsor disallowed meals during the last monitoring visit because the provider served homemade vegetable soup and did not have the recipe approved in advance. The provider answered the appeal rights with a copy of the recipe, and the recipe was approved for the missing meal component.

When the recipe was approved, the sponsor said she looked forward to tasting it sometime when it is served again. No mention was made regarding the disallowed meals or the overclaim. The provider submitted a copy of the approved recipe and said that the overclaim should have been withdrawn with the approved appeal.

CAP Accepted       CAP Rejected

## Sufficient Corrective Action or Not?

Read each scenario then decide whether it is a sufficient corrective action by writing yes or no on the line. *(Check your answers in the back of the workbook)*

### Scenario 1

Mary Ann's day care home received a Serious Deficiency Notice that indicates that the records the Pennsylvania Sponsors Association enrolled were missing, expired or unavailable at the last monitoring visit as well as the follow-up visit. Mary Ann submitted the following Corrective Action. Is it sufficient to correct the Serious Deficiency?

1. New enrollment forms will be distributed to all children's households, and asked to return by the end of the week.
2. Meals for children without valid enrollment forms will not be claimed until they are returned and are complete.
3. Attendance and meal count records will be kept in a file folder in the desk and available when the monitor comes.
4. Any substitute staff will have access to the records at all times.

Sufficient or Not - \_\_\_\_\_

## Scenario 2

David White has failed to report to his sponsoring organization when he was not going to be home at meal times. The last two times the monitor showed up no one was home. He submitted the following corrective action. Is it sufficient?

1. I will let the sponsor know when I plan to take the children on field trips unless it is last minute.
2. I am requesting that I be allowed to flex the meal times so that I'm not out of compliance with meal times on the application.

Sufficient or Not - \_\_\_\_\_

## Scenario 3

A family day care home, Abby Mobley, submits claims for reimbursement indicate that she is caring for six children everyday, although there are eight children enrolled. She tells the monitor that two of the children are only there for a couple hours after school and she doesn't claim the meals unless other children are not in care. When the monitor comes to monitor a pm snack, there are seven children in care and receiving snacks, but Abby only marks six children's meals. Since Abby is a family day care home and licensed to care for six children, the sponsor issues a Serious Deficiency Notice for claiming meals in excess of the license capacity. Abby submitted the following Corrective Action plan. Is it sufficient or not?

I am appealing the Serious Deficiency Notice since I never claim more meals than what is on my license - six children. But I'll limit enrollment in the CACFP to the six children for in full time care.

Sufficient or Not - \_\_\_\_\_

#### Scenario 4

Barbara is a family day care home provider and is a vegetarian. Since she does not eat meat, she does not prepare meat for participants in her care. Her menus delete the meat component at lunch. Occasionally she does serve cheese or beans which makes the lunches creditable. When not serving cheese or beans, she just claims the lunches as breakfast. Since CACFP regulations do not allow for more than one breakfast per child per day, the sponsor issues a Serious Deficiency Notice for claiming meals in excess of allowed meal types, and lunches that do not meet meal patterns. This is the Corrective Action Plan submitted. Is it sufficient?

“I will plan meals using the CACFP Crediting Handbook so that all lunches have a Meat Alternate and therefore meet the meal pattern. I will no longer claim a second breakfast for the Pennsylvania Sponsors Association at lunch because the lunches will meet the meal pattern for lunch. I am submitting two weeks of menus so that you can review my meat alternate choices and determine if they meet the lunch requirement. “

Sufficient or Not - \_\_\_\_\_

# Tips for Responding to Serious Deficiency Notice and Notice of Proposed Termination and Disqualification

## A Serious Deficiency Notice

Sites are expected to follow the CACFP Regulations at all times. However, if you fail to follow the regulations and policies, you may be determined to be Seriously Deficient. The Notice of Serious Deficiency Letter is the first step toward terminating your participation in the CACFP if the violations are not **permanently** corrected.

Keep in mind – the determination of Serious Deficiency is not appealable, and failing to file an adequate Corrective Action Plan, or CAP, will immediately require your sponsor to take the next step – filing the Notice of Proposed Termination and Disqualification. At that point, it may be too late to correct the problems and continue participation in the CACFP.

## Filing an Adequate CAP

1. Your CAP should **never** argue the determination. This doesn't mean your sponsor is infallible but what you should do is address their assessment and correct the perceived problem. For example if during the last monitoring visit, your lunch time was changed from noon to 11:30, and the monitor was unable to observe the meal service. Arguing that the electric company was shutting off water at noon so you would be unable to clean up after serving lunch is irrelevant if this is not the first time you changed the meal time without notifying your sponsor.
2. Address the problem. In the case noted above, you should develop a plan to notify your sponsor if your meal times are changing for any reason. Most likely, meal times should be kept or changed only when you can notify the sponsor in advance. In the case above, the power company notified you in time for you to serve the meal early. You could have called the sponsor when you were notified. However, you also could have taken steps to “clean up” after serving at noon. For example, using disposable plates and cups, and preparing a meal with little clean up necessary. If necessary, note the substitutions on the planned menu before serving the meal, and explain to the monitor why the menu was changed.
3. Determine who is responsible and address retraining. In small centers or day care homes, most likely you are the responsible party. Own it. Indicate you will immediately review the policies and regulations for the noted problem – in the above case – mealtimes, and your sponsor's procedures for changing mealtimes. Also post a notice to yourself to remind you to notify the sponsor – something as simple as a chart of mealtimes, or a post-it with SERVE MEALS ON TIME shows good faith. Then indicate you will mark on the point of service meal counts the time the meal was served until the next monitoring visit. It addresses the problem, retrains the responsible party and takes initiative to keep it from recurring. And if the meal was disallowed because of the time change, make prompt repayment of the overclaim. It is not enough to say it won't happen again.

## Notice of Proposed Termination and Disqualification

1. When the Notice of Proposed Termination and Disqualification arrives, pay immediate attention to the appeal procedures. Failure to follow the procedures and meet the deadlines will result in immediate termination and disqualification. If you cannot meet the timeline you can request an extension but remember, your sponsor is **not required** to extend the deadline or accept a late-filed appeal.
2. If you do not understand something, contact your sponsor immediately. After talking to your sponsor, follow up **in writing** the nature of the discussion – even if the deadline was not extended or the information did not fully answer your concerns. Send it with a receipt, a fax that shows fax went through, e-mail with a delivered/read receipt, or certified mail. Make notes on the letter you received, who you spoke with and the date and time of the call. This is now part of the documentation you will submit with your appeal.
3. Include everything that addresses the problem. In the case above, the notice from the power company or a notarized statement from another neighbor impacted by the power outage will support the reason you changed the time. Summarize the retraining efforts you made, the materials reviewed and, if necessary, the training you attended or reviewed online. Include your CAP – even if the sponsor did not accept it. If your sponsor stated why it was rejected, add to it and determine what you can do in the future. If you repaid an overclaim, a copy of the canceled check should also be included. If you are now noting the time you are serving meals on point of service meal counts, include a copy of this as well.
4. Do not include irrelevant or obvious points. Such as:
  - a. You cannot afford to serve nutritious meals without the CACFP reimbursement.
  - b. You provide quality care and fair prices because of CACFP reimbursement.
  - c. Parents letters of support of your appeal.

This information does not directly address the problem noted in the Notice.
5. In some cases, you may be given the opportunity to talk directly with the hearing officer, however, any discussions will not weigh into the hearing officer's decision. His or her decision is based on information submitted by you, your sponsor, CACFP regulations and any other applicable laws.
6. You also have the right to consult an attorney to represent you. In some cases, family child care providers may have an advocate or association that can assist with your appeal. You can also talk to other providers and see how they would handle the situation.
7. It is okay to note the number of times meal times were changed without notice to the sponsor if it supports your case. For example, at the last five monitoring visits, the meal was served on time without incident. However, the first monitoring visit two years ago just after you enrolled in the CACFP you were late serving because you were pulling records for the monitor's visit.
8. Offer to have additional unannounced monitoring visits to validate your compliance in the future. While this may or may not be something you would welcome, it shows good faith initiative to your sponsor and the hearing official.



## REMEMBER THIS

- Once a Serious Deficiency Notice is issued, there are only two possible outcomes: either it's corrected and the notice is temporarily deferred or it's not corrected and the state agency issues the Notice of Proposed Termination and Disqualification.
- Your sponsor is there to help you succeed, don't be afraid to ask questions.

# Day Care Homes



## By the end of this lesson, you will be able to...

1. Identify the records that must be collected and maintained by day care homes in order for your sponsor in Pennsylvania to claim reimbursement for meals in the CACFP.
2. Recognize the most common areas of non-compliance for the Pennsylvania Sponsors Association.



## Corrective Action Plans - True or False?

Read each statement and circle true or false. *(Check your answers in the back of the workbook)*

- T | F** 1. Regardless of its location, the number of children enrolled determines the type of day care home license/approval.
- T | F** 2. A day care provider may only claim meals for their own children if they the household income is determined to be low income using the income eligibility guidelines.
- T | F** 3. Day Care homes must take attendance and point of service meal counts at every meal.
- T | F** 4. Homes located in low income areas determined by school building or census data are Tier 1; all other homes are Tier 2.
- T | F** 5. A Tier 2 Mixed home is a Tier 2 home where the households of children enrolled are evaluated by size and income to determine meal rates.
- T | F** 6. A parent or guardian must complete an enrollment form annually.
- T | F** 7. The enrollment form indicates the hours of care and special meals required for each child.
- T | F** 8. Family style meal service is when day care children eat with the home provider's family.

- T | F** 9. Documents required to support claims are menus, attendance and enrollment forms.
- T | F** 10. The maximum number of meals that may be claimed per child per day, is two main meals and a snack, or two snacks and a main meal.



## Tips and Benefits of Family Styles Meal Services

### **Social and Motor Skills**

Children learn and practice social and motor skills such as taking turns, sharing, and passing, pouring and scooping foods.

### **Hunger and Fullness Cues**

The Institute of Medicine recommends serving meals family style because it creates a healthful eating environment that is responsive to children's hunger and fullness cues. However the provider is to actively encourage that the minimum portion of each component is consumed.

### **Trying New Foods**

Children are encouraged to try new foods by seeing their friends enjoying different foods.

### **Manners and Social Skills**

The provider is a good role model for children by sitting at the same table, teaching them manners and social skills.

### **Learn Healthy Food Habits**

Children can enjoy a family-like environment while learning healthy food habits.

### **Minimum Portions**

Place adequate quantity of food on the table at the beginning of the meal so that all can have the minimum portion of each component.

### **Assistance**

Seat children that may require assistance in serving themselves closer to staff / provider. Start slowly with foods like toast, small cold plates of food and gradually increase the variety of foods they can serve.

### **Spills**

Always plan for spills, and show children how to prevent them. Show children the correct way to clean up and sanitize the spill area.

## **10 “Tastes”**

Make positive comments about the food being served, and encourage children to do the same. Encourage the polite bite for foods children may think they do not like. Remember it takes about 10 “tastes” before children can truly know that they do or do not like something.

## **Choking**

Encourage conversation but always be aware of possible choking hazards. Discourage loud talking or active motions while at the table. This encourages proper manners and will limit the likelihood of choking.

## **Sizes**

Remember child-size is the right size for plates, cups and utensils.



# Day Care Homes - Crossword Puzzle

A crossword puzzle grid with 24 numbered starting points for words. The grid is set against a light gray background. The numbered squares are:

- 1: Top right vertical
- 2: Top horizontal
- 3: Top right horizontal
- 4: Middle vertical
- 5: Middle right horizontal
- 6: Middle left horizontal
- 7: Middle right horizontal
- 8: Middle horizontal
- 9: Middle horizontal
- 10: Middle left vertical
- 11: Middle vertical
- 12: Middle horizontal
- 13: Middle horizontal
- 14: Middle right horizontal
- 15: Middle left horizontal
- 16: Middle horizontal
- 17: Middle right vertical
- 18: Middle right horizontal
- 19: Middle vertical
- 20: Middle horizontal
- 21: Middle horizontal
- 22: Middle horizontal
- 23: Middle horizontal
- 24: Bottom horizontal

## Across:

2. Taken daily to support meal counts
5. 1% or fat-free if over age 2
6. Site location
7. Duration for Area and School Building Eligibility
8. Second in importance to participant care
12. Must be done when serving for claims
14. Can be meat alternate or vegetable
15. Offered throughout the day
16. Type of person that determines food allergies
18. Amount of meal component required based on participant's age
20. What meals are to be
22. Court placed child
23. Determines maximum number of children in care
24. Eligibility for foster children and Head Start for example

## Down:

1. Required to provide vitamins and minerals
3. Makes up meal patterns
4. Tier 1 or 2 rates
9. Equal for all
10. Funding agency
11. Must be determined before participation
13. Designates hours and meals
17. Maximum meal types per day
19. Enrollment is collected
21. Child less than 1 year of age



## REMEMBER THIS

- You must notify your sponsor if you are not going to be home at a scheduled meal service.
- Specific information on the enrollment forms need to be completed by all households of participants in care.
- Attendance and point of service meal counts are taken to support claims for reimbursement.
- Claims must be submitted to your sponsor by the claim deadline set by your sponsor.

# Notes

# ANSWER KEY

## LESSON 3:

### Eat the Rainbow

Orange / yellow - Lower cholesterol and blood pressure, and help the body fight infections.

Green - High in phytochemicals, essential vitamins and fiber, and support eyesight and provide calcium to support healthy bones and teeth.

Blue / purple - May help reduce cancer and add color and variety to your plates.

White / tan / brown - Contain beta-carotene and Vitamin B, and strengthen your immune system.

Red - Help reduce cancer and heart disease by containing Lycopene.

### Fruits and Vegetables

1. Incorrect - lima beans repeated - add fruit or vegetable not listed in mixed vegetables
2. Incorrect - applesauce incorrect amount - increase to 1/4 c.
3. Correct
4. Correct - although peas and carrots are in Shepherd's Pie, the tomatoes and mashed potatoes are in sufficient quantity to make up the difference.
5. Correct
6. Correct

### Meat Alternate

1. Ricotta cheese - Yes - Also cottage cheese, 2 oz. = 1 oz. meat alternate
2. Egg whites - No - Only whole eggs are creditable
3. Falafel - Yes - Only pre-ground weight of beans is creditable
4. Yogurt with fruit - No - Insufficient determination of yogurt to fruit
5. Nuts - Yes - 1 oz. = 1 oz. but only allowable for 1/2 meat / meat alternate component
6. Hummus - Yes - Only the volume of beans is creditable
7. Cheese-filled ravioli - Yes - Only if CN labeled; Manufacture Product Analysis no accepted
8. Bean soup - Yes - 1/2 c. soup = 1 oz. meat alternate; cannot be credited as meat and vegetable in same meal
9. Cream cheese - No - Insufficient protein; high in fat
10. Quiche - Yes - Only if there is 1/4 oz. per serving
11. Beef jerky - No - High in sodium content; difficult to chew; limited protein
12. Cheese pizza - Yes - CN labeled; if homemade, recipe must state cheese per serving
13. Edamame (fresh soy beans) - No - Only creditable as a vegetable
14. Seeds - Yes - 1 oz. = 1 oz. meat alternate; only allowable for 1/2 meat / meat alternate component
15. Lentils (also dry peas) - 1/4 c. = 1 oz. meat component

### Find the CN Labeled Food

1. The CN Labeled products noted on this menu may require additional food components based on the age of the children. Follow the CN Label for crediting information.
2. Frozen Juice Pop - If CN Labeled, at least 50% of the juice product is 100% juice and may meet some or all of the fruit/vegetable requirement. For older children, the Frozen Juice Pop may require supplementing.
3. The Grilled Chicken Breast may be CN labeled but it is also possible that it could be home made separately and served together.

## LESSON 4:

### Find the Ten Menu Mistakes

- 1 and 2. Monday Lunch/Supper - Either the mandarin fruit salad or 100% orange juice must be substitute for another fruit not in fruit salad; or another vegetable instead of fruit salad. Cannot serve the same food in different forms in both of the fruit/vegetable components; mashed potatoes is not a grain bread. It is a vegetable.
3. Tuesday Snack - 2% chocolate milk cannot be served to children over the age of 2. Substitute 1% or fat free chocolate, white or other flavored milk.
4. Tuesday Lunch/Supper - Unless a commercially purchased CN Labeled food, the veal schnitzel breading amount of bread/grain per portion cannot be determined.
5. Tuesday Snack - 2% Milk cannot be served to children over the age of 2. Substitute 1% or fat free milk.
6. Wednesday Snack - Strawberry preserves is not a creditable fruit. Substitute with another fruit or vegetable like fresh strawberries.
7. Wednesday Lunch/Supper - Brown rice is creditable only as a grain/bread. Substitute it with a fruit or vegetable not in salsa.
8. Thursday Snack - Vanilla pudding is not a creditable food. Substitute with 1% or fat free milk, or a fruit or vegetable.
9. Thursday Lunch/Supper - The tomatoes are marked to be part of the mixed green salad. The spaghetti sauce, if CN Labeled, may be sufficient to credit as part of the second fruit/vegetable; however, it is best to substitute with a vegetable not in the salad, or a fruit.
10. Friday Lunch/Supper - Juice cannot be served as the second snack component when milk is served. Substitute with a non-juice fruit or vegetable, or a grain/bread. Caution - make sure that the amount of peppers, onions and mushrooms per serving equals at least 1/8 cup.

### Making “Woah and Slow” Foods Healthier

1. 100% Orange juice - Slow – Change to go by serving fresh orange segments.
2. Pancakes – Whoa – Change to pancakes made with wheat flour and low fat milk. Be sure to serve with fresh fruit instead of heavy syrup.
3. Low fat milk - This is a Go food; however, you can make it healthier by serving skim.
4. 100% beef hot dogs – Whoa – serve low, fat turkey or chicken hot dogs or replace with baked chicken or turkey.
5. Mashed potatoes – Slow – make healthier by using water from boiling or skim milk to mash without butter or margarine.
6. Candied sweet potatoes – Whoa – try baking a sweet potato and sprinkle lightly with brown sugar.
7. Canned fruit cocktail in light syrup – Slow – make your own fruit salad or serve canned fruit cocktail in natural juices.
8. Peanut butter – Slow – Change to low-fat yogurt dip if used for a dip; or serve chicken, cheese made from skim milk, or other lean meat for a sandwich.
9. Fresh fruit salad – This is a Go food.
10. Carrots and yogurt dip – This can be either Go or Slow by using fat-free or low-fat yogurt. Limit dips for a healthier menu.
11. Canned peas - Slow – use fresh or frozen without sauce.
12. Apple crisp – Whoa – Try a fresh, baked apple with cinnamon instead.
13. Frosted shredded wheat squares – This may be a slow or whoa food. If 100% wheat it is a slow food. But try using unsweetened whole grain cereals for a Go breakfast.
14. Potato Tots – Whoa – Avoid pre-fried foods even if you prepare by baking. Try adding steamed potatoes, or replace with another fresh fruit or vegetable.
15. Corn tortilla – Slow – Switch to a flour tortilla for a healthier alternative.

## LESSON 5:

### The Four Ds Test

1. Denied
2. Delayed
3. Differently
4. Disparate

### The Six Protected Classes

1. Race
2. Color
3. Sex
4. Age
5. National Origin
6. Disability

## LESSON 6:

### Corrective Action Plans

1. Yes the CAP is sufficient
2. No, the CAP never addressed the original oversight only argued the monitor's disallowance. The CA should have indicated that in the future, each menu will have milk included with each main meal, or should have highlighted the statement and requested approval from the sponsor to continue submitting menus in this form. Milk receipts should also have been provided to support the claim that milk is provided at all main meals, and the reason it is noted for snacks is because it is not a main meal but a featured required component.
3. No, the CAP was not approved; however, the provider should have discussed the overclaim with the sponsor when the appeal was submitted and the recipe was approved. But the SD Notice also should have been rescinded with the appeal so a CAP should never have been necessary.

### Sufficient Corrective Action or Not?

Scenario 1 - This is sufficient corrective action. It addressed the missing enrollment forms and a timeline for collecting them. If unable to collect them, Mary Ann will not claim meals for missing records. And the availability of records for the monitor was addressed.

Scenario 2 - This is insufficient to address the problem. He is not taking definitive action, and is actually planning to make meal times flexible so that it will make monitoring more of a problem. The sponsor should reject the plan and begin the proposed termination and disqualification process.

Scenario 3 - Since you cannot appeal the Serious Deficiency Notice, the first part of the corrective action plan is irrelevant. She also failed to address the over-license capacity of the home on a daily basis - only what she claims. Therefore, the plan is insufficient. Additionally, the sponsoring organization must notify the licensing agency of the consistent overcapacity concern.

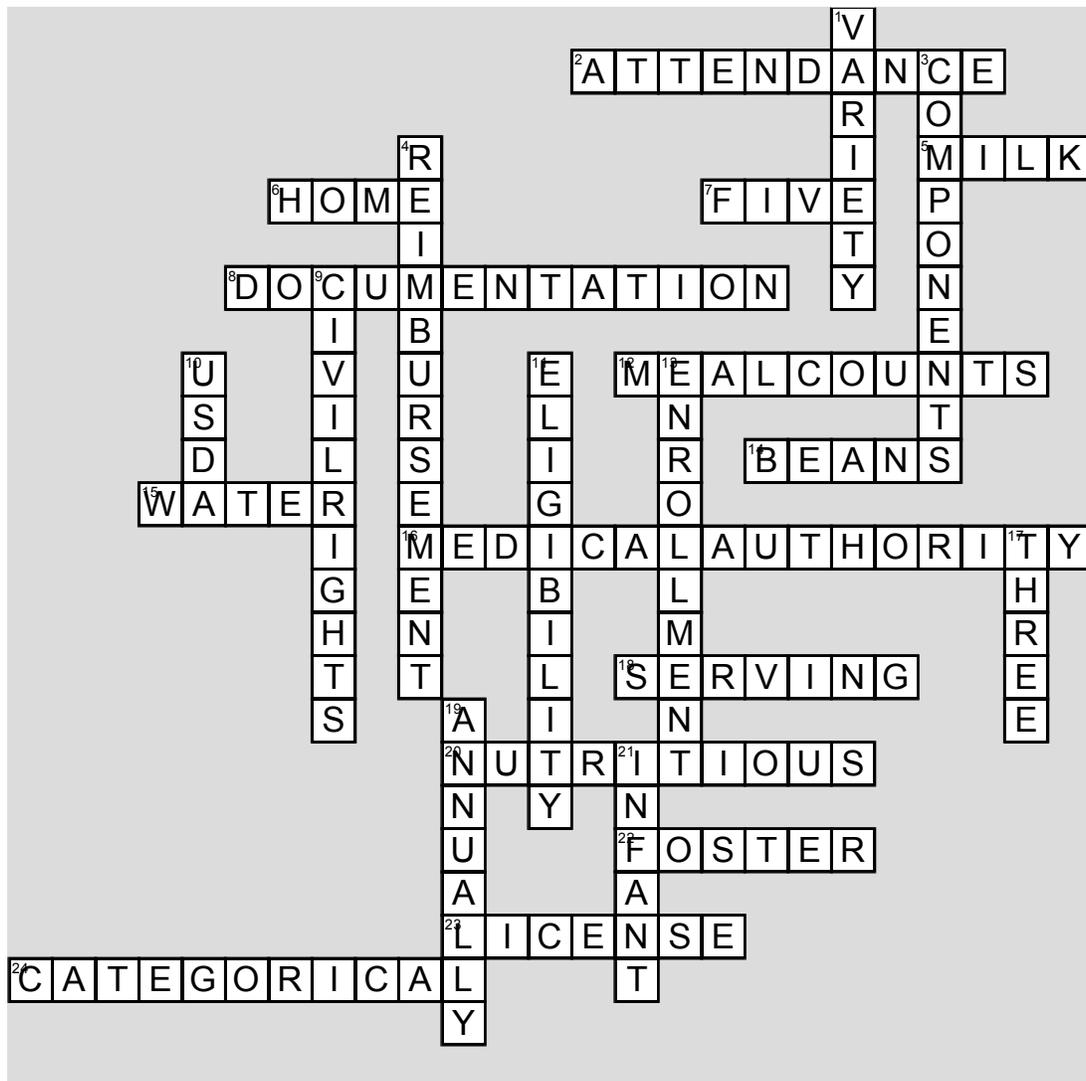
Scenario 4 - This plan is sufficient. Barbara is making effort to ensure that her lunches meet the meal patterns by submitting lunch menus for review. She also agreed not to claim second lunches. The sponsor should review the menus and work with Barbara to expand the use of meat alternates for her menu.

## DAY CARE HOMES:

### Corrective Action Plans - True or False?

1. False, a day care home must be located in a residence.
2. True
3. False, attendance is taken daily; point of service meal counts are taken at each meal, or if a family day care home, at the end of the day.
4. False, while Tier 1 is determined by building data or census, it may also be determined by the provider's household size and income.
5. True
6. True
7. False, the enrollment form indicates hours of care and meals expected to be served each day. Special meals must be requested by medical practitioners.
8. False, family style meal service is when the care staff eat with the children enrolled and all required food is placed on the table for children to serve themselves.
9. False, claims are supported by menus, meal counts and attendance records.
10. True

### Day Care Homes Crossword Puzzle



# Appendix

## **Equal** **Opportunity**

for Faith-Based and/or Community Based Religious Affiliations

**Faith-Based and Community-Based Religious Affiliation** – Ensures that no organization will be discriminated against based on religion, and USDA funded programs are available regardless of religious affiliation. Specifically prohibits discrimination for or against an organization:

- On the basis of religious belief, practice or character
- By allowing independence to carry out mission of the religious as long as USDA funding is not use to support any inherently religious activities, part of the worship or religious instruction
- Allowing use of USDA funds in spaces without removal of religious icons, scriptures or other religious symbols
- By disallowing the organization to discriminate against program participants or beneficiaries on the basis of their religious belief or non-belief



## for Participating Institutions, Facilities and their Staff

1. Assurances to Protect Civil Rights
2. Public Notification of Available Benefits through Outreach and Education
3. Use of Nondiscrimination Statements

- a. Complete Nondiscrimination Statement on all program materials, handbooks, enrollment forms, menus, newsletters, brochures, parent/household information, flyers and advertisements

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

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

Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) **mail:** U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) **fax:** (202) 690-7442; or
- (3) **email:** [program.intake@usda.gov](mailto:program.intake@usda.gov).

- b. Abbreviated Nondiscrimination Statement on websites, radio, TV public service announcements and items too small to include the complete statement.

*"This institution is an equal opportunity provider."*

4. Data Collection and Reporting for Ethnicity and Race
5. Complaint Procedures and Conflict Resolution
6. Accommodations for Protected Classes
7. Compliance Reviews



# Protected Classes

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## 1. Race 2. Color 3. Sex 4. Age 5. National Origin 6. Disability

*Although not a specified class, Religious Affiliation is also protected.*

### 1. Race: The five racial categories are:

- American Indian or Alaskan Native – A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment or identity.
- Asian – A person having origins in any of the original peoples of the Far East, South east Asia, or Indian subcontinent, including Cambodia, China, India, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam
- Black or African American – A person having origins in any of the black racial groups of Africa. Terms such as Haitian or Negro can also be used in addition to Black or African American
- Native Hawaiian or Other Pacific Islander – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands
- White or Caucasian – A person having origins in any of the original peoples of Europe, the Middle East or North Africa

**2. Color:** To have its commonly understood meaning – pigmentation, complexion, or skin shade or tone. Thus, color discrimination occurs when a person is discriminated against based on the lightness, darkness, or other color characteristic of the person.

**3. Sex:** Gender identity, including transgender status, or because of sexual orientation

**4. Age:** A time of life when specific characteristics or particular qualification, power or capacity arises.

**5. Nation Origin:** Pertaining to the country of birth or descent, most closely associated with ethnicity.

The two ethnic categories are:

- Hispanic or Latino – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. The term Spanish origin can be used in addition to Hispanic and Latino.
- Non-Hispanic or Latino – All others not have culture or origin as listed above regardless of race.

**6. Disability:** Physical or mental impairment that substantially limits one or more major life activities.

“Major life activity” refers to functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. More specifically, according to the ADA Amendments Act of 2008, it refers to “functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, and reproductive functions.”



## Accommodating Language Assistance for Limited English Proficient Individuals

**Limited English Proficiency** – Individual or households where English is not the primary language spoken, and have limited ability to read, speak, write or comprehend English.

Through use of the documents available from USDA, LEP participants can complete the required documents to participate in the Child Nutrition Programs. These documents can be found at: <http://www.fns.usda.gov/documents-available-other-languages>.

Additionally, institutions and facilities are encouraged to use the “I Speak” chart, found at <http://www.fns.usda.gov/sites/default/files/lspeak.pdf> to assist in determining the appropriate language.

### Primary factors to consider in Determining Reasonable Steps to accommodate LEP:

- Number of LEP persons participating in the program.
- Frequency with which LEP individuals have contact with the program.
- Nature and importance of the program provided.
- Resources available to the participant such as translator, materials, costs

### Ways to Accommodate LEP households

- Language Assistance Services
- Oral interpretation services
- Bilingual staff
- Telephone interpreter lines
- Written language services
- Community volunteers
- School officials

### Tips

- Never use children as interpreters
- Share the resources – enlist assistance from community-based organizations
- Always stress confidentiality regardless of who works with you
- Visit [www.LEP.gov](http://www.LEP.gov) for additional resources



## Accommodating Disabilities

**All children and adults must be allowed equal opportunity to participate in CACFP.**

All participants must be treated in the same manner, including:

- Provided services
- Seating arrangements
- Facility access
- Methods of serving meals

Institutions are expected to provide reasonable accommodations that respect the dignity of all participants.

### Special Dietary Needs

USDA regulations require that agencies make substitutions or modifications in meals for persons whose disabilities restrict their diet. This need must be certified by a physician or another state recognized medical authority, defined as a licensed health care professional authorized to write medical prescriptions under state law.

The request must state if the request is due to an allergy or an intolerance, specify the food items to be avoided and acceptable food substitutions. The meal should be of equal acceptability to the participant. If it is an intolerance, accommodation is not required but recommended. However, you cannot choose to accommodate some and not all requests for food substitutions not originating as a food allergy. Component substitutions for intolerances or parent's requests that include non-creditable foods or where the meal no longer contains all required components are not allowed to be claimed.

Special dietary needs, like all medical conditions, are to be confidential. However, care must be taken to ensure those preparing food, serving food and overseeing the meal service are fully aware of the concern to ensure the safety of the participant.

Sponsors and facilities should contact the state agency for assistance if there are questions or concerns implementing special dietary needs.



## Processing a Civil Rights Complaint

Regardless of the legitimacy of the complaint, all allegations must be treated as a civil rights complaint until the concern is investigated and, if determined to be a civil rights complaint, it is resolved. This is not to say all concerns should not be addressed, but the handling of Civil Rights complaints require specific steps. Other complaints may be a form of unequal treatment that do not fall under the specific protected classes.

1. Whenever possible, civil rights complaints should be resolved locally, and involvement of the state agency should only require notice of the complaint and action taken to be resolved. However, if this is not possible, the state agency and the USDA will assist in its resolution.
2. A complaint may be a telephone call, letter, email, fax or other means of communication. They may be signed or anonymous. But either way, upon receipt, a facility must log the complaint and notify the state agency.
3. In order to investigate the complaint, the person responsible for handling civil rights complaints must contact the complainant determine what the different treatment is, whether or not it falls under one of the protected classes, and the effect it has on receiving equal access to program benefits. This includes:
  - a. Interviewing the complainant;
  - b. Interviewing others who have similar complaint, if applicable;
  - c. Interviewing local authorities or allegedly responsible for the action or lack of action resulting in the civil rights complaint;
  - d. Interviewing all witnesses to the actions or lack of actions resulting in the civil rights complaint;
4. If the complaint is determined to have substance, the responsible person must determine what actions can be taken to resolve the concern, including cautioning the authorities or persons responsible for the action or lack of action resulting in the violation the retaliation is furtherance of the civil rights complaint.
5. If resolved, a complete report to the state agency and USDA must be filed and the log must be updated. If unable to resolve the issue, the complaint must be forwarded to USDA.
6. To prevent recurrence, the sponsor and state agency should conduct training with facility staff but keep the specific of the complaint confidential.