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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

k12.wa.us

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Action Required
Due date: October 1, 2020
 Informational

BULLETIN NO. 055-20 CHILD NUTRITION SERVICES

TO: Child and Adult Care Food Program—Adult Care Institutions

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Adult Care Institutions—Child and Adult Care Food Program Renewal Process for Federal Fiscal Year 2021

CONTACT: Mary Nagel, Community Nutrition Programs Supervisor
360-725-6218, mary.nagel@k12.wa.us

PURPOSE/BACKGROUND

This bulletin provides instructions for Adult Care Institutions who wish to continue participating in the Child and Adult Care Food Program (CACFP) for federal fiscal year 2021.

In light of COVID-19, you may have questions and concerns regarding the operation of CACFP. The United States Department of Agriculture (USDA) continues to monitor and release additional guidance and waivers. We will continue to provide updates about changes to program requirements. To receive important updates, you must be on the CNS Mandatory Communications list. Please email samantha.brueske@k12.wa.us to be added to this distribution list.

The renewal application must be completed and submitted by October 1, 2020.

The application process is completed in the Washington Integrated Nutrition System (WINS). Your assigned specialist is located on the sponsor profile table in WINS. Information on WINS, including training videos and job aids, can be found on the [CNS WINS webpage](#). Use the *WINS Renewal Instructions – Adult Care* (Attachment 1) and the *Application Checklist* (Attachment 2) to ensure all components are completed.

Institutions that officially change their legal name, which results in a new Federal Employer Identification Number (FEIN), must report this change to OSPI's Child Nutrition Services (CNS) department before starting the renewal process.

Audits

Institutions are required to maintain records that identify all federal funds received and expended. Such funds shall be identified by the fund's CFDA number. The CFDA number for CACFP is 10.558.

Institutions must also make these records available for review or audit by officials of federal agencies, the General Accounting Office, and OSPI or designee.

Institutions expending \$750,000 or more in federal funds from all federal sources combined in any fiscal year must receive an audit, in accordance with 2 CFR Part 200 Subpart F, for that fiscal year. Audits must be:

- Completed within nine months of the end of that fiscal year, and
- Submitted to the Federal Audit Clearinghouse (FAC) by the earlier of 30 days following receipt of the completed audit or nine months following the end of the fiscal year.

If a tribe or tribal organization opts to not make the reporting information publicly available on the FAC website in accordance with 2 CFR Part 200 Subpart F Section 200.512(b)(2), a copy of the data collection form and reporting package must be submitted to OSPI.

If you have questions regarding audits, please email Jeff Booth at jeff.booth@k12.wa.us or call 360-725-6217.

Training

All institutions are required to complete CACFP training provided annually by CNS. Training is provided as live or recorded webinars. Training information can be found on the [CACFP Training webpage](#).

Pricing Program Option

All institutions participating in CACFP in Washington state are currently operating as Non-Pricing Programs. Independent centers and sponsoring organization centers can operate "Pricing Programs." Pricing Programs charge for meals and snacks served to participants who do not qualify for free meals. Institutions wishing to operate a Pricing Program must complete and submit a *Pricing Policy Statement* and follow program regulations outlined at 7 CFR 226.23(c).

Pricing Program requirements include:

- Distributing income eligibility materials to households;
- Processing meal applications;
- Determining eligibility and notifying households in writing of the eligibility determination;
- Having a procedure in place that allows households to appeal the result of the eligibility determination; and

- Working with CNS during the verification of eligibility for free and reduced-price meals, which includes requiring households to submit supporting income documentation.

For more information and additional resources about Pricing Programs, please contact the Child Nutrition Services department at 360-725-6206.

Budgets

Budgets, including identified administrative and operating costs, are required as part of the renewal application.

Administrative costs are costs incurred by an institution for planning, organizing, and managing food services. Operating costs are costs incurred by an institution in serving meals to participants including food and labor costs related to meal service, nonfood supplies, and other miscellaneous costs related to the meal service. Administrative and operating costs must be approved by CNS.

Regulations limit the amount of meal reimbursement that can be used to support administrative costs to 15%. This means at least 85% of the meal reimbursement must support operating costs. If CACFP reimbursement is used for administrative expenses, food service operating costs will need to be entered monthly on the claim.

Site Application

Federal regulation requires the collection of race and ethnicity data each year for the current population your facility serves as well as the potentially eligible population in your service area.

Race and ethnicity data of your current population can be taken from completed Enrollment forms or Enrollment Income Eligibility Applications. If these forms are incomplete and do not provide a true representation of your facility, a visual observation of race and ethnicity data can be recorded to fulfill this requirement. The total of children in the ethnic category should equal the total attendance of children and be entered as whole numbers. The number of children placed in the race category can exceed the number of children in ethnic category, as a child can identify as more than one race.

The assessment of potentially eligible population in your service area can be done by using Census or school data. These numbers should be entered as percentages. Please use either one of the links below to find the appropriate data set.

School Data

Enter the school district in which your facility is located in the school Report Card search. Select the Diversity Report, and then select Enrollment by Student Demographics. For ethnicity, report the percentage of Hispanic/Latino races shown here. For Non-Hispanic, subtract the Hispanic/Latino races percentage from 100 to get this value. List race information as shown on this page.

Census Data

Search the city where your facility is located on the QuickFacts page in the search bar. Record the data located under the Race and Hispanic Origin heading. For ethnicity, report the percentage of Hispanic/Latino races shown here. For Non-Hispanic, subtract the Hispanic/Latino races percentage from 100 to get this value. List race information as shown on this page.

Please use the definitions found in the [Race and Ethnicity Data Collection Reference Sheet](#) when assessing race and ethnicity data.

Reporting Changes on Your Approved Application

Institutions must revise and resubmit their application in WINS when changes occur throughout the year. Failure to report the changes may result in CNS disallowing meals served. Changes that must be reported include:

- Name, address, phone number, or email changes.
- A site is added, dropped, or moved.
- A change in meal service (i.e., meal type/time).
- A new director or owner.
- The center is sold.
- The business is closed.
- Name and dates of birth of responsible principals.

Vended Meals

Institutions who wish to contract for vended meals must complete the [OSPI Food Service Agreement for Vendors](#) as part of their application. Email these documents to your program specialist.

Vended meals may be purchased from local education agencies (LEAs), including public or private schools. However, local education agencies (LEAs) are not allowed to vend meals to for-profit centers. Institutions who wish to purchase vended meals from any type of a vendor *other than an LEA* are required to obtain bids. LEAs who are using a Food Service Management Company (FSMC) cannot vend to you unless they have included the option to vend meals for CACFP in their contract.

Proper procurement must be followed when purchasing vended meals. When the projected amount for vended meals is less than \$150,000, an informal bid process is allowed. The informal bid process allows for quotes to be obtained by telephone, email, or mail. Quotes must be requested from at least three potential vendors. Possible organizations for quotes include nearby hospitals, LEAs, community centers, senior nutrition programs, or other catering services.

Documentation of the bid process must be recorded. A sample bid form and instructions can be found on the [Procurement webpage](#). Documentation of your bidding process must be kept for three years plus the current year. When the projected amount for vended meals is more than \$150,000, a formal bid process must be used. For further guidance on the formal bid process, please email Jeff Booth at jeff.booth@k12.wa.us or call 360-725-6217.

Food Service Management Companies (FSMC) Agreements

Sponsors may contract with a FSMC, which is a commercial enterprise or nonprofit organization that manages any aspect of the organization's food service program. Sponsors must have their contract approved by OSPI prior to signature and to filing claims in WINS. The contract will include all services performed by the FSMC. Details regarding contract requirements can be found on the [Food Service Management Companies webpage](#).

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Mary Nagel, Community Nutrition Programs Supervisor, at 360-725-6218 or email mary.nagel@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins and Memos](#) page of the OSPI website.

Jamila B. Thomas
Chief of Staff

T.J. Kelly
Chief Financial Officer

Leanne Eko, RD, SNS
Director, Child Nutrition Services

CR:ss

Attachment 1: WINS Renewal Instructions – Adult Care
Attachment 2: Application Renewal Checklist – Adult Care

Assurance of Civil Rights Compliance

The Sponsor hereby agrees that it will comply with: i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.); ii. Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); iii. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); iv. Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); v. Title II and Title III of the Americans with Disabilities Act (ADA) of 1990 as amended by the ADA Amendment Act of 2008 (42 U.S.C. 12131-12189); vi. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." (August 11, 2000); vii. All provisions required by the implementing regulations of the Department of Agriculture (USDA) (7 CFR Part 15 et seq.); viii. Department of Justice Enforcement Guidelines (28 CFR Parts 35, 42 and 50.3); ix. Food and Nutrition Service (FNS) directives and guidelines to the effect that, no person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity for which the Program applicant receives Federal financial

assistance from USDA; and hereby gives assurance that it will immediately take measures necessary to effectuate this Agreement. x. The USDA non-discrimination statement that 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, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs).

This assurance is given in consideration of and for the purpose of obtaining any and all Federal financial assistance, grants, and loans of Federal funds, reimbursable expenditures, grant, or donation of Federal property and interest in property, the detail of Federal personnel, the sale and lease of, and the permission to use Federal property or interest in such property or the furnishing of services without consideration or at a nominal consideration, or at a consideration that is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale, lease, or furnishing of services to the recipient, or any improvements made with Federal financial assistance extended to the Program applicant by USDA. This includes any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of cash assistance for the purchase of food, and cash assistance for purchase or rental of food service equipment or any other financial assistance extended in reliance on the representations and agreements made in this assurance.

By accepting this assurance, the Sponsor agrees to compile data, maintain records, and submit records and reports as required, to permit effective enforcement of nondiscrimination laws and permit authorized USDA personnel during hours of program operation to review and copy such records, books, and accounts, access such facilities and interview such personnel as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, FNS, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Sponsor, its successors, transferees and assignees as long as it receives assistance or retains possession of any assistance from USDA.

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or equity@k12.wa.us.