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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

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June 1, 2021

- Action Required
Due date: September 1, 2021
- Informational

BULLETIN NO. 032-21 CHILD NUTRITION SERVICES

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

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Child Care Institutions—Child and Adult Care Food Program Renewal Process for Federal Fiscal Year 2021–22

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PURPOSE/BACKGROUND

This bulletin provides instructions for Child Care Institutions who wish to continue participating in the Child and Adult Care Food Program (CACFP) for Federal Fiscal Year 2021–22 (FY22).

Please note the program renewal application deadline has been changed to **September 1, 2021** to meet United States Department of Agriculture (USDA) regulations.

Due to COVID-19, you may have questions and concerns regarding the operation of CACFP. The USDA continues to monitor and release additional guidance and waivers. We will continue to provide updates and changes to program requirements. To receive important updates, you must be on the Office of Superintendent of Public Instruction (OSPI) Child Nutrition Services (CNS) mandatory communications list.

The renewal application will open on July 7, 2021 and must be completed and submitted by September 1, 2021.

THE APPLICATION PROCESS

The CACFP application process includes the following steps:

1. Training

All institutions are required to complete CACFP annual training provided by CNS.

- **Who Must Attend Annual Training?**
 - All institutions participating in the CACFP.
 - All institutions planning to participate in the CACFP in FY22.
 - At a minimum, the person responsible for oversight of the CACFP must attend. This training is intended for directors and administrators.

- **FY22 Training Requirements**

All CACFP sponsors must certify completion of all training requirements when submitting their sponsor application. Training requirements include:

1. **FY22 CACFP Annual Updates Webinar**
Join us as we discuss the past year, renewal updates, and looking ahead to FY22.
2. **Annual Civil Rights Training**
This session will review the basics of the Civil Rights requirements when operating the CACFP.
3. **Ounce Equivalent Training**
Sponsor staff are required to attend Ounce Equivalent 101.

- **How to Participate in Annual Training**

Training is provided as live and recorded webinars. Training information can be found on the [CACFP Training webpage](#), under the 'FY22 Child Care, Family Day Care Home, and At-Risk Community Sponsors Annual Training' dropdown.

2. Program Application

- a. **Washington Integrated Nutrition System (WINS) Application**

Complete the online application in WINS. Information on WINS, including training videos and job aids, can be found on the [CNS WINS webpage](#).

- Use the *WINS Renewal Instructions – Child Care* (Attachment 1) for descriptions of renewal terms.
- Use the *Application Checklist* (Attachment 2) for the steps required to complete program renewal.
- Institutions that officially change their legal name, which results in a new Federal Employer Identification Number (FEIN), must report this change to CNS before starting the renewal process.
- If you have questions, you can locate your assigned specialist on the sponsor profile section in WINS.

WINS APPLICATION SECTIONS

1. Sponsor Application

- Review and update all sponsor information.
 - Staff Contact information must be entered or updated when completing the application. **Ensure contact information, including e-mail addresses, are current and entered correctly.**
 - CNS uses this to communicate important information directly to your institution.
- Nonprofit, tax exempt sponsors must upload proof of 501(c)(3) status into the Sponsor Application during renewal. Upload the determination letter received from the Internal Revenue Service that states your organization has been granted non-profit status.

2. Site Application

- **Racial/ Ethnic Data**
 - 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.

- The assessment of potentially eligible population in your service area can be done by using Census or school data. Please use the definitions found in the [Race and Ethnicity Data Collection Reference Sheet](#) when assessing race and ethnicity data.
- **Licenses and Permits**
Federal regulations require that all child care centers must meet child care standards. Sponsors must upload copies of required licenses and permits.
- **Services Provided**
The information reported in this section is used for claims and USDA reporting.

3. Site Calendars

Meal service information for each site is entered into the *Site Calendar*. If you operate a program that closes during the summer months, two schedules must be added: one which will operate from the beginning of the fiscal year until the program closes for summer; the second will begin when the program opens after summer until September 30, 2022.

4. Budget

- Updated Budget submissions are required for institutions submitting a renewal for the new fiscal year.
- Budgets must be approved **prior** to the first day of program operations.
- **Submitting Your Budget**
 - The budget format looks different than in previous years. Revisions have been made that will assist in determining costs and what needs to be entered in to budget fields.
 - All expenses must be necessary, reasonable, and allowable per [FNS Instruction 796-2, Revision 4](#).
 - Budget submissions should have sufficient detailed information concerning projected reimbursements and expenses, as well as other non-program funds to be used to meet CACFP requirements.
 - This information is used to determine the allowability, necessity, and reasonableness of all proposed expenditures, and to assess the sponsor's capability to manage program funds.
 - Use the [Allowable and Unallowable Cost Reference Sheet](#) for more details.
- **Administrative Costs**
 - Institutions can use up to 15% of their CACFP revenue to support administrative costs.

- If the institution elects to use these funds to support the costs of administrative expenses, it will be required to track the monthly costs and enter this information into the monthly claim submission.

If you have questions regarding budgets, please email chaundra.barboza@k12.wa.us.

5. Management Plan (for sponsors with multiple sites)

The Management Plan must be submitted for sponsors of multiple sites. The management plan is used to assist in evaluating the financial viability, organizational capability, and administrative accountability of the sponsor.

ADDITIONAL PROGRAM REQUIREMENTS

• Reporting Changes on your Approved Application

Institutions must revise and resubmit their application in WINS when changes occur throughout the year. 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.
- Principals and their birthdates.

• Audits

Institutions are required to maintain records that identify all federal funds received and expended. Such funds shall be identified by the fund's Catalog of Federal Domestic Assistance (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 CNS.

If you have questions regarding audits, please email jeff.booth@k12.wa.us.

- **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.

- Details regarding contract requirements can be found on the [Food Service Management Companies webpage](#).
- Sponsors must have their contract approved by OSPI prior to signature and to filing claims in WINS.
- Contracts must include all services performed by the FSMC.
- **Contract Fact Sheet Requirements**
 - The Contract Fact Sheet provides information about your agreement to include proper procurement, start date and end dates and signature approval dates.
 - This module must be completed in WINS.
 - Use the [Completing Contract Fact Sheets in WINS Information Sheet](#) for detailed instructions.

If you have questions regarding audits, please email jeff.booth@k12.wa.us.

- **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:**
 - Distribute income eligibility materials to households;
 - Process meal applications;
 - Determine eligibility and notifying households in writing of the eligibility determination;

- Create and maintain a procedure that allows households to appeal the result of the eligibility determination; and
- Work 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 your OSPI CNS Program Specialist.

• Purchasing and Procurement

Sponsors of the CACFP are reimbursed through OSPI with funds from the USDA. Receiving public funds means sponsors are responsible to follow ethical business and purchasing practices set by CACFP regulations.

○ Sponsor Compliance with Procurement Rules

- All institutions must create and follow procurement procedures.
 - The [What is Procurement? Developing Rules for Purchasing - Recorded Training](#) provides templates and reviews how to create a procurement plan and code of conduct.
- All institutions must maintain documentation of the entire procurement process used to obtain goods and services with CACFP funds.
- Procurement regulations for CACFP sponsors can be found in [2 CFR 200.317–327](#), [7 CFR 226.22](#).

○ Procurement Resources

- [Getting Started- Procurement Checklist](#)
- [Getting Started- Procurement Plan and Code of Conduct Template](#)
- The [CNS Procurement Webpage](#) contains additional tools such as:
 - Procurement Vocabulary Reference Sheet
 - Code of Conduct Reference Sheet
 - Procurement Procedure Plan Reference Sheet

If you have procurement questions, please email barbara.krogstad@k12.wa.us or stacie.boyd@k12.wa.us.

• 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, 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 CACFP sponsors unless they have included the option to vend meals for CACFP in their contract.
- **Purchasing Requirements**
 - Proper purchasing procedures must be followed when purchasing vended meals. Please refer to the [OSPI CNS Procurement webpage](#) for additional information.
 - When the projected amount for vended meals is less than \$250,000 (or a lower threshold established by the sponsor), 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.
 - Documentation of the bid process must be recorded. Please use the OSPI CNS [Informal Bid Solicitation Record](#) as a guide.
 - When the projected amount for vended meals is more than \$250,000 (or a lower threshold established by the sponsor), a formal bid process must be used.
 - Documentation of your bidding process must be kept for three years plus the current year.
 - Possible organizations for quotes include nearby hospitals, LEAs, community centers, senior nutrition programs, or other catering services.
- **Contract Fact Sheet Requirements**
 - The Contract Fact Sheet provides information about your agreement to include proper procurement, start date and end dates and signature approval dates.
 - This module must be completed in WINS.
 - Use the [Completing Contract Fact Sheets in WINS Information Sheet](#) for detailed instructions.

If you have questions about vended meals, please email jeff.booth@k12.wa.us.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact your CACFP Specialist, or call the OSPI TTY number is 360-664-3631.

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

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June 1, 2021

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Chief of Staff

T.J. Kelly
Chief Financial Officer

Leanne Eko, RD, SNS
Director, Child Nutrition Services

CR:sd

Attachment 1: WINS Renewal Instructions – Child Care
Attachment 2: Application Renewal Checklist – Child 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.