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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

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Action Required
Due date: September 1, 2022
 Informational

BULLETIN NO. 044-22 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 2022–23

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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 2022–23 (FY23). The United States Department of Agriculture (USDA) has issued guidance indicating a return to “normal” operations. Automatic and broad use of COVID waivers are no longer available for FY23. Sponsors may individually apply for waivers if impacted by a specific COVID-related event. Please contact your program specialist for details.

THE APPLICATION PROCESS

The renewal application will open on July 15, 2022, and must be completed and submitted by September 1, 2022. It may take up to 30 days to process and approve a complete application. Sponsors may choose to submit their application for approval past the September 1 deadline but may not be approved in time to receive reimbursement for meals served during October 2022. The CACFP application process includes the following steps:

1. Training

All institutions participating or planning on participating in CACFP are required to complete annual training provided by Child Nutrition Services (CNS). Details about Annual Training requirements can be found on the [CACFP Training webpage](#) and in weekly CACFP Newsletters.

2. Program Application in WINS

The CACFP application is completed in the Washington Integrated Nutrition System (WINS). Information on WINS, including training videos and job aids, can be found on the [CNS WINS webpage](#). The following sections must be completed in WINS as part of your program application:

- Sponsor Profile
- Sponsor Application
- Site Application
- Site Calendar
- Budget
- Management Plan (sponsors with multiple sites)

Additionally, copies of licenses and other documents must be uploaded into WINS. Use the *Application Checklist – Child Care* (Attachment 1) and *WINS Renewal Instructions – Child Care* (Attachment 2) for program renewal steps and details. If you have questions, you can locate your assigned specialist on the sponsor profile section in WINS.

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.

NEW FOR FY23

Unique Entity Identifier

The Federal Government has transitioned from the use of the Dun & Bradstreet (DUNS) Number to the Unique Entity Identifier (UEI) as the primary means of entity identification. A UEI number is required for all new and renewing Sponsors starting FY23. Sponsors may go to www.sam.gov, to register and request a UEI number.

Racial / Ethnic Data Collection

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. USDA recently released updated guidance that prohibits the collection of race and ethnicity data by visual observation. Data must be collected by participant self-identification.

Nondiscrimination Statement

USDA [recently released updated civil rights guidance](#), including the USDA Food and Nutrition Services non-discrimination statement. Webpages and documents will need to reflect these changes. Child Nutrition Services has requested new *And Justice for All* posters and sponsors will be notified when they become available. Please continue to display the 2019 *And Justice for All* posters until the new ones arrive.

Operating Expenses

Beginning in FY23, sponsors will record operating expenses each month as part of the claim submission in WINS. A reminder and additional details will be provided in October.

ADDITIONAL PROGRAM REMINDERS AND 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.

Outside Employment Policy

All Sponsors with multiple CACFP sites must have an Outside Employment Policy. This policy must specify that employees may be allowed outside employment provided the outside employment in no way interferes with the performance of the employee's duties, including CACFP-related duties or responsibilities; and is performed outside the employee's approved work schedule and off premises.

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 Company (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 Company webpage](#).

If you have questions regarding FSMCs please email brenda.merritt@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\(c\)](#).

Purchasing and Procurement

Sponsors of the CACFP are reimbursed with funds from the USDA. Receiving federal funds means sponsors are responsible to follow ethical business and purchasing practices set by federal regulations. All institutions must create and follow procurement procedures and maintain documentation of the procurement process used to obtain goods and services with

CACFP funds. Sponsors must also comply with a procurement review once every six years. Procurement resources can be found on the CNS [Procurement webpage](#).

If you have procurement questions, please email barbara.krogstad@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. Vended meals may be purchased from Local Education Agencies (LEAs), including public or private schools. Institutions who wish to purchase vended meals from any type of a vendor other than an LEA are required to use proper purchasing procedures.

If you have questions about vended meals, please email samantha.evans@k12.wa.us.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact your assigned Program 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.

Tennille Jeffries-Simmons
Chief of Staff

T.J. Kelly
Chief Financial Officer

Leanne Eko, RD, SNS
Executive Director, Child Nutrition Services

CR:eo

Attachment 1: Application Renewal Checklist – Child Care

Attachment 2: WINS Renewal Instructions – 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.