

CACFP Policies

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DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Deadlines for the Submission of Claims for Reimbursement, Policy 01-18

Federal regulations, 7 CFR Part 226, stipulate that original claims for reimbursement must be submitted to the State agency no later than 60 days after the end of the claim month. In addition, revised claims that will result in additional reimbursement to the institution must be submitted within 90 days of the end of the claim month. The regulations also grant State agencies the authority to establish shorter deadlines to ensure State agency reporting requirements are met. Because of these reporting requirements, the South Carolina Department of Social Services (SCDSS) requires all original claims for reimbursement to be submitted by the 15th of the month following the claim month. Original claims that are submitted after the 15th are considered late but will be paid if submitted within the regulatory 60 days. Institutions that submit original claims after the 15th are not in compliance with program requirements and the continuous submission of late claims may result in contract termination.

Original claims and revised claims resulting in additional funds that are submitted after the regulatory timeframes can only be paid under the following conditions.

The institution has been granted an audit or review exception by SCDSS for revisions due to on-site reviews or audits or independent audits that disclose underclaims which appear to SCDSS to be warranted.

SCDSS grants a one-time exception for late submission. A one-time exception is available only once during a 36-month period and only for one claim.

Deadlines for the Submission of Claims for Reimbursement

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USDA, Food and Nutrition Service grants approval to SCDSS to pay a late claim. In this case, the institution would request SCDSS to submit a written request to USDA for approval to pay the late claim(s). This option is available for original and revised claims. USDA generally only grants approval for payment of late claims when the reason for the late submission is beyond the control of the institution.

SCDSS conducts an on-site visit to review the institution's records to determine the validity of the claim.

SCDSS will notify institutions in writing of late claim submissions. All requests for an exception must be made in writing by the institution and must be signed by the institution's authorized representative. Institutions will be required to submit a written corrective action plan prior to any exception being granted for late submission of a claim (original or revised claim). The plan must outline the actions taken or to be taken to ensure that claims are not submitted late again in the future. As with all corrective action plans, the corrective action must be permanent.

If you have questions concerning this policy, please contact the CACFP staff at (803) 898-0958.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

July 23, 2007

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Operation of the Child Nutrition Programs During a Pandemic, Policy 07-03

As a result of the activities being taken to plan a government-wide response to a potential outbreak of pandemic disease, the United States Department of Agriculture (USDA) has received questions regarding the Child Nutrition Programs' operation during such an event.

The Child Nutrition Programs are designed to support institutional feeding operations. The Child and Adult Care Food Program (CACFP), the Afterschool Snack Program (ASP) and the Emergency Shelter Program (ESP) are part of USDA's Child Nutrition Programs. The authorizing statutes assume that programs will operate in a congregate setting, whether in schools or child care facilities. During the outbreak of pandemic disease, public health officials anticipate the need for "social distancing" as a means of minimizing the spread of illness by limiting person-to-person contact. Thus, when social distancing measures are in effect, schools and other facilities may be closed, and operation of the Child Nutrition Programs will probably not be possible.

School facilities and equipment normally used in the operation of the National School Lunch Program (NSLP) or the School Breakfast Program (SBP) may be used for other activities during a pandemic outbreak. In addition, in a Presidentially-declared disaster, Program commodities and other foods would be available for distribution to community groups or public agencies. However, although school facilities or commodities could be used, their use would not be related to the NSLP or SBP.

Finally, depending on the nature and scope of the outbreak, USDA may waive some Program requirements in areas adjacent to, but not directly affected by, a pandemic outbreak. Provisions relating to operational procedures, review requirements, or meal patterns have been waived, either on a short-term or a longer-term basis, in previous disasters. The usefulness and applicability of such waivers during a pandemic would, of course, be dependent on the scope of the outbreak and the limitations on person-to-person contact in any given area.

Please contact your CACFP consultant if you have any further questions concerning the possible operation of Child Nutrition Programs during the outbreak of pandemic disease.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

July 23, 2007

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Child Care Centers, Adult Care Centers, Sponsors of Child Care Homes)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: U.S. Armed Forces Family Supplemental Subsistence Allowance – Permanently
Excluded from Income Consideration for the Child Nutrition Programs, Policy
07-04

Public Law 109-163 (January 6, 2006) made the Department of Defense's Family Subsistence Supplemental Allowance (FSSA) permanently available. Therefore, the exclusion of the FSSA as income for the Child Nutrition programs is also permanent. Attached for your information is the memorandum dated February 27, 2006 which explains FSSA.

Please contact your CACFP consultant if you have any further questions concerning FSSA.

Attachment

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

April 25, 2008

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Crediting of Corn Meal (Cornmeal) and Corn Flour for Grains/Breads
Component, Policy 08-04

To be credited as a grains/breads component for Food-Based Menu Planning approaches for all Child Nutrition Programs (including schools, child and adult care, and summer programs), grain products must be enriched or whole-grain, or made from enriched or whole-grain meal and/or flour. Bran and germ are credited the same as enriched or whole-grain meal or flour.

For a number of years, the Child Nutrition Programs allowed corn meal (cornmeal) and corn flour to be counted as a whole grain for crediting grains/breads. This is because the standard of identity for “corn meal” and “corn flour” was interpreted as yielding a whole grain.

On February 17, 2006, the U.S. Food and Drug Administration published a draft guidance entitled *Whole Grain Label Statements* that contained the following statement: “*Degerminated and bolted cornmeals should not be considered whole grain products because germ or bran has been removed during processing. Because the rest of the meal [flour] standards allow removal of some of the hull, these also should not be considered whole grain products.*” This clarification by FDA of the standards of identity for “corn meal” and “corn flour” indicates that these products should no longer be considered as whole grains for the Child Nutrition Programs.

Therefore, beginning July 1, 2008, to be credited toward meeting meal pattern requirements for a grain/bread, corn must be labeled as...

- 1. “whole corn” (or other “whole” corn designations, such as whole grain corn, whole ground corn, whole cornmeal, whole corn flour, etc.), or**
- 2. “enriched” corn (or other “enriched” corn designations, such as enriched yellow cornmeal, enriched corn flour, enriched corn grits, etc.). As a reminder, “enriched” means thiamin, riboflavin, niacin, iron and folic acid have been added.**

Please note that this policy will make some food items that are currently being served (corn chips, tortilla chips, cheese flavored puffs, etc.) not creditable. Individuals purchasing food for use in CACFP programs must read the ingredient list on the food label to ensure that food items are creditable. In addition, effective July 1, 2008, you must have a copy of the food label (which includes the ingredient list) on file when items such as corn chips, tortilla chips, etc. are served.

Please contact your CACFP consultant if you have any further questions concerning this policy.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

August 5, 2008

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Child Care Center and Head Start Administrators)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Automatic Eligibility for Head Start and Early Head Start Participants,
Policy 08-05

This memorandum provides guidance regarding amendments to the Richard B. Russell National School Lunch Act (NSLA) that extend automatic eligibility for free meal benefits, including free milk, to all children enrolled in Head Start and participating in child nutrition programs.

On December 12, 2007, the President signed The Improving Head Start for School Readiness Act of 2007 (Public Law 110-134) which contains several significant revisions to the Head Start program, including amendments to the eligibility criteria in section 645 of the Head Start Act (42 U.S.C. 9840). Public Law 110-134 also amends sections 9(b)(12)(A)(iii) and 17(c)(5) of the NSLA to correspond with the new eligibility criteria.

Head Start serves primarily children from families with household incomes at or below the Federal poverty level. However a small proportion of children in families with household incomes above the poverty level may be served. In the past, only those children who were income eligible for Head Start were considered automatically eligible for free meals in the child nutrition programs.

Public Law 110-134 makes any child enrolled in Head Start automatically eligible for free meals without further application or eligibility determination. Therefore, even a child who is not from a household with an income at or below the poverty level is automatically eligible for *free* meals if they are enrolled in Head Start.

Institutions and school food authorities (SFA) may now establish eligibility of all Head Start enrollees through documentation provided by the Head Start program. USDA will be updating the relevant eligibility guidance to reflect this change.

All reimbursable meals served to children enrolled in Head Start may be claimed at the free rate. **Institutions and SFAs may submit revised claims to claim all reimbursable meals served to Head Start enrollees that were not previously claimed at the free rate. All such reimbursable meals served on December 12, 2007, and beyond may be claimed. Revised claims must be submitted no later than September 15, 2008.**

In order to retroactively claim meals at the free rate, SFAs must refund any money they received from the families of Head Start children who were not previously eligible for free meals.

The new eligibility criteria also applies to children in State-funded pre-kindergarten programs which have been provided waivers under the authority of the USDA memorandum dated July 22, 1999, *Automatic Eligibility of State-Funded Pre-Kindergarten Participants for Free Meals in the Child and Adult Care Food Program (CACFP), the National School Lunch Program (NSLP), and the School Breakfast Program (SBP)*. SFAs and institutions that have received waivers, and have the same or stricter income eligibility standards than Head Start, may also revise claims dating back to December 12, 2007, for those children enrolled in their programs who were not previously eligible for free meals.

In addition to children who are enrolled in Head Start and State-funded pre-kindergarten programs mentioned above, the law establishes free meal eligibility for infants and toddlers, and, in some instances, pregnant women, who receive Early Head Start services. Early Head Start is a federally-funded child development program that provides services to low-income infants, toddlers, and pregnant women. It has the same eligibility criteria as Head Start. Therefore, the amendments to the Richard B. Russell national School Lunch Act that make any child enrolled in Head Start automatically eligible for free meals also apply to participants in Early Head Start.

To establish automatic eligibility for pregnant women, prospective mothers must be enrolled in Early Head Start and be eligible to receive school meals through the National School Lunch and School Breakfast Programs, or another child nutrition program. Participants in Early Head Start may receive free meal benefits without further application or eligibility determination. Acceptable documentation for participants includes an approved Early Head Start application, a statement of Early Head Start enrollment, or a list of participants from an Early Head Start official. All reimbursable meals served to participants in Early Head Start may be claimed at the free rate.

Because of the automatic eligibility for Head Start and Early Head Start programs, institutions that manage these programs are no longer required to include the Free and Reduced-price Meal Application (DSS 16160) and the Dear Parent/Guardian letter in the enrollment package. However, parents must be provided a copy of the CACFP nondiscrimination statement and procedures for filing a complaint. This information may be included in the parent handbook or as a separate item in the enrollment package.

Please contact your CACFP consultant if you have any further questions concerning this policy.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

February 3, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Afterschool Snack Programs)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Program Closure / Change Form, CACFP Policy 09-01

It is a requirement that participants of the Afterschool Snack Program, a component of the Child and Adult Care Food Program, notify our office if their organization and/or any of their sponsored site(s) are going to be closed during normal business hours. In addition, it is also a requirement that once an organization and/or sponsored site is approved, any changes made to the meal service times and dates of operation, must be communicated to the South Carolina Department of Social Services office prior to claiming for the snacks served during those times and dates.

In an attempt to help organizations communicate this information to our office, we have developed a Program Closure/Change Form. The attached form is to be completed and faxed to the South Carolina Department of Social Services' CACFP office prior to any closure dates and prior to making any changes to the organization or site's meal service time and or dates of operation. Normally such changes would be reported on the Site Information Sheet; however, until the Site Information Sheet is revised, the Program Closure/Change Form should be used by all Afterschool Snack Programs.

If you have any questions concerning this policy memo, please contact the Afterschool Snack Program staff at (803) 898-0959.

Attachment: ASP Program Closure/Change Form

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

February 9, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Small Business Tax Filing Updates, CACFP Policy 09-02

The Internal Revenue Service (IRS) has changed its filing requirements that apply to **small, tax-exempt organizations**. Failure to comply with the requirements may result in the revocation of an organization's tax-exempt status. Please note that your organization's participation in the Child and Adult Care Food Program will be impacted if your tax-exempt status is revoked.

The Pension Protection Act of 2006 (PPA), which was signed into law on August 17, 2006, requires that most tax-exempt organizations whose gross receipts are normally under \$25,000 or less must file Form 990-N. The title of the form is *Electronic Notice (e-Postcard) for Tax-Exempt Organizations Not Required To File Form 990 or 990-EZ*. Before the law was enacted, small businesses with annual gross receipts of under \$25,000 were not required to annually file with the IRS.

Additional information about the filing requirements may be found at <http://www.irs.gov/charities/article/0,,id=169250,00.html>.

For those tax-exempt organizations that are impacted by the Pension Protection Act of 2006, ensure that you are in compliance with the Act's requirements.

If you have any questions concerning this policy memo, please contact the CACFP staff at (803) 898-0959.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

April 29, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Sponsors and Independent Centers)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Center Program Closure / Change Form, CACFP Policy 09-07

It is a requirement that participants of the Child and Adult Care Food Program (CACFP) notify our office if their organization and/or any of their sponsored center(s) are going to be closed during normal business hours. In addition, it is also a requirement that once an organization and/or sponsored center is approved, any changes made to the meal service times, days of meal service and dates of operation, must be communicated to the South Carolina Department of Social Services office prior to claiming for the meals/snacks served during those times and dates.

In an attempt to help organizations communicate this information to our office, we have developed a Program Closure/Change Form. The attached Closure/Change form is to be completed and mailed or faxed to the South Carolina Department of Social Services' CACFP office prior to any closure dates and prior to making any changes to the organization or center's meal service time and/or dates of operation. All completed forms should be sent to the attention of your CACFP Consultant.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

Attachment:
Center Program Closure/Change Form

**South Carolina Department of Social Services
Child and Adult Care Food Program**

Child and Adult Care Food Program Closure/Change Form

Name of Organization: _____

Agreement Number: _____

Name of Center	Closure Period (Dates)		Change in Meal Service Time			Effective Date	Reason for Closure/ Change
	From	To	Meal	Old Time	New Time		
Comments/other changes to program (days no longer operating, etc...):							

I certify that the above closures/changes are being submitted to SCDSS for approval prior to the closure dates and or prior to any changes have been made to our meal service time(s) and or dates of operation.

Signature of Authorized Representative

Title of Authorized Representative

Date

Either fax this form to (803) 898-0960 or mail to SCDSS, Child and Adult Care Food Program, P.O. Box 1520, Columbia, SC 29202-1520

SCDSS PERSONNEL ONLY	
_____ Date Approved	_____ SCDSS Rep. Initials

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

June 12, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Childcare Centers, Afterschool Snack Programs)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: For-Profit Childcare Center Eligibility, CACFP Policy 09-08

Federal regulations stipulate that for-profit childcare centers may participate in the CACFP if at least 25 percent of the children served are eligible for free and reduced price (F/RP) meals or if at least 25 percent of enrolled children or 25 percent of licensed capacity (whichever is less) received Title XX compensation. In South Carolina Title XX compensation was included in the payment to centers for registration fees for ABC voucher children. Effective June 1, 2009, Title XX funds will no longer be included in the payment for registration fees. Therefore, effective June 1, 2009 for-profit childcare centers will only be eligible to participate in the CACFP using the F/RP provision. As a reminder, a current and complete Free and Reduced-price Meal Application must be on file for every child classified as free or reduced.

This funding change will affect new centers applying for participation in the CACFP as well as centers currently participating in the Program. Claims for reimbursement submitted for June 2009 and thereafter for for-profit childcare centers must indicate that the center is utilizing the F/RP provision in order to be eligible for payment. Any claims for reimbursement not eligible for payment will be returned to the institution.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

June 12, 2009

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Milk and Other Foods with Expiration or Use-by Dates, CACFP Policy 09-09

The purpose of the Child and Adult Care Food Program is to assist childcare facilities, adult care centers and afterschool programs to provide nutritious meals and snacks to enrolled program participants. A basic principle of the Program is that quality food items that are safe for consumption will be served to participants. To ensure the safety of the food items served and to sustain the integrity of the CACFP, all foods, including milk, must be served by the date indicated on the container or package.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

October 19, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Adult Care Centers)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Taking the Temperature of Catered Foods, CACFP Policy 10-01

There has been some concern about the need to take the temperature of catered meals at the time of delivery and before the meal service. This memo is in response to those concerns.

Food service licensing regulations for adult day care facilities in SC are addressed in Section "E" of Regulation 61-75, Standards for Licensing Day Care Facilities for Adults. Specifically, Section E (5) (a) and E (5) (b) state, respectively:

"5. Catering Services:

- a. When meals are served in a facility not equipped with a kitchen approved for the preparation of food, such meals shall be obtained from a food service establishment approved by the Department.
- b. The requirements for storage, display, and general protection against contamination as contained in this regulation shall apply to the transportation of all food from a food service establishment to another location for service. All potentially hazardous food shall be kept at 45 degrees Fahrenheit or below, or 140 degrees Fahrenheit or above during transportation. During the transportation of the food from a food service establishment, all food shall be in covered containers or completely wrapped or packaged so as to be protected from contamination."

It is the responsibility of the adult care center to ensure any potentially hazardous food is maintained, stored, and served at safe temperatures at all times. Although we believe the best practice is not to accept food that may be out of the safe temperature zone, we recognize there is a potential loss of heat when sealed containers are opened prior to the beginning of meal service. Therefore, an adult day care facility may accept the caterer's temperature that the food was transported at the correct temperature and only take the food temperature at the time of meal service.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

November 9, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Child Care Center, Adult Care Center, After-School Snack Programs and Emergency Shelters)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Request for Yearly Summary of Expense Forms, Policy 10-02

In accordance with the *Child and Adult Care Food Program Financial Management Instruction*, FNS Instruction 796-2, revision 3, "all participating institutions must operate a nonprofit food service principally for the benefit of enrolled participants and maintain records documenting the operation of that food service." The documentation would include all information to support the use of CACFP funds such as receipts, invoices, timesheets, and other accounting records. The instruction further requires each institution to maintain accounting records that document the proper cost allocation between the program and nonprogram components of its food service operation.

The South Carolina Department of Social Services' CACFP office requires organizations that do not have a formal accounting system to summarize the use of CACFP funds on the monthly Summary of Expense and Year-to-Date (YTD) reconciliation forms. Organizations that use Quickbooks or other accounting software may choose to use the Summary of Expense in lieu of establishing a CACFP fund account in the organization's accounting system.

This policy is being issued to require organizations to *annually* submit a *copy* of their monthly summary of Expense and YTD Reconciliation forms or corresponding accounting system reports no later than November 30. Since CACFP operates on a federal fiscal year, October 1 through September 30, all information submitted should represent that period of time for the previous program year. For example, information submitted by November 30, 2009 should represent the period of October 2008 through September 2009.

Summary of Expense records will be received either electronically or by U.S. mail. The email address is cacfp@dss.sc.gov. All copies should be legible.

Mailing Address: **South Carolina Department of Social Services
Child and Adult Care Food Program
Post Office Box 1520
Columbia, South Carolina 29202-1520**

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

December 15, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Schools Participating in the CACFP)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Q & As: Milk Substitution for Children with Medical or Special Dietary Needs
(Non-Disability), Policy 10-03

Attached is a policy update from the United States Department of Agriculture (USDA) regarding milk substitutions for children with medical or special dietary needs (non-disability). We are providing you a copy of this policy as issued by USDA because you are a public school participating in the CACFP. Please reference questions 4 and 5 for the policy's applicability to the CACFP.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

Attachment

Q&As: Fluid Milk Substitutions in the School Nutrition Programs with USDA Cover Memo

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

December 15, 2009

MEMORANDUM

TO: Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Geographic Preference for the Procurement of Unprocessed Agricultural Products in the
Child Nutrition Programs, Policy 10-04

Attached is policy update from the United States Department of Agriculture (USDA) regarding geographic preference in procurements in the child nutrition programs.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

Attachment

USDA Policy CACFP 01-2010
USDA Policy CACFP 02-2010
USDA Policy CACFP 05-2010

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

February 3, 2010

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Childcare Home Sponsors, Child Care Center Sponsors and Independent Child Care Centers)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Exclusion of Military Combat Pay, Policy 10-05

This policy memo will address the exclusion of military combat pay and other income for a deployed service member. This memorandum is applicable to the following eligibility determinations:

- free and reduced price meals in the National School Lunch and School Breakfast Programs;
- free and reduced price meals for centers in the Child and Adult Care Food Program (CACFP);
- tier status determinations for family day care homes in the CACFP;
- meals in the Summer Food Service Program; and
- free milk in the Special Milk Program.

COMBAT PAY

The exclusion of combat pay is authorized by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80; October 21, 2009). USDA issued the following information to provide guidance to State and local agencies regarding military combat pay received by service members during a deployment.

As set forth in the statute, combat pay is defined as an additional payment made under Chapter 5 of Title 37 of the United States Code, or as otherwise designated by the Secretary to be excluded, that is received by the household member who is deployed to a designated combat zone. Combat pay is excluded if it is:

- Received in addition to the service member's basic pay;
- Received as a result of the service member's deployment to or service in an area that has been designated as a combat zone; **and**
- Not received by the service member prior to his/her deployment to or service in the designated combat zone.

A combat zone is any area that the President of the United States designates by Executive Order as an area in which the U.S. Armed Forces are engaging or have engaged in combat. As with other types of income commonly received by military personnel (such as the Basic Allowance for Housing or Basic Allowance for Subsistence payments), combat pay received by service members is normally reflected in the entitlements column of the military Leave and Earning Statement (LES). Information regarding deployment to or service in a combat zone may also be available through military orders or public records on deployment of military units.

OTHER INCOME AND HOUSEHOLD SIZE

We will continue to count only that portion of the deployed service member's income made available by them or on their behalf to the household as income. This is a continuation of the policy previously established (issued as CACFP policy 03-04—Military Families and Eligibility in the Child Nutrition Programs). Further, deployed service members continue to be considered members of the household for purposes of determining income eligibility for the Child Nutrition Programs.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

February 3, 2010

MEMORANDUM

TO: Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Expiring Income Eligibility Forms, Policy 10-06

This policy memo will address when Free and Reduced-price Meal Applications (DSS 16160 and DSS 1645) are considered expired and when a newly completed application must be on file at the institution. The requirements of 226.23(f) state that free and reduced-price eligibility information must be updated annually and may not be more than 12 months old. This was intended to mean that income eligibility forms should be considered current and valid until the last day of the month in which the form was dated one year earlier. This means that if a form was dated on September 12th, 2009 by the parent/guardian or participant in the case of adult centers, it is considered valid until the last day of September in 2010. This decision applies to both centers and homes, and should be used to assess the expiration of an income eligibility form in all situations.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

May 3, 2010

MEMORANDUM

TO: Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Collecting Racial and Ethnic Data, Policy 10-07

FNS Instruction 113-1, Civil Rights Compliance and Enforcement—Nutrition Programs and Activities establishes the requirement for all institutions participating in the Child and Adult Care Food Program (CACFP) to annually collect racial and ethnic data. These data will be used to determine how effectively CACFP is reaching potential eligible persons and beneficiaries, identify areas where additional outreach is needed, assist in the selection of locations for civil rights compliance reviews and complete reports as required. Each CACFP institution must establish a system to collect, maintain on file and safeguard the following data:

- 1) The number of potentially eligible beneficiaries by racial or ethnic category for the area served by each institution is to be determined each year. Data concerning the number of potentially eligible beneficiaries, along with identification of all sources of the information, shall be updated annually and maintained on file for 3 years.
- 2) Actual beneficiary data by racial or ethnic category for each child care center, outside-school-hours care center, afterschool program, adult day care center, and child care home under the its jurisdiction are to be collected by the institution each year.

The actual racial and ethnicity data is to be collected by participant in childcare and adult care centers. Centers that use the Free and Reduced-price Meal Application (FRPMA) (DSS 16160 or DSS 1645) can obtain the actual racial and ethnic data for a participant from this form if the information is provided by the participant, parent or guardian. (Please keep in mind participants are not required to complete the racial/data section of the FRPMA in order to receive free meals at the facility). This data should be summarized on the master roster or other list of participants.

Annually during the month of September, CACFP institutions shall complete and maintain on file, the DSS 1633-2, Racial/Ethnic Form. If another month has been approved for updating enrollment forms and FRPMAs, the DSS 1633-2 shall also be completed during that month. All racial and ethnic data shall be safeguarded at the institution to prevent access by unauthorized individuals.

Please refer to the *Civil Rights Compliance in the Child and Adult Care Food Program* guidance booklet for additional information. If you have any questions concerning this policy memo, please contact your CACFP Consultant.

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

May 14, 2010

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Childcare Centers, Sponsoring Organizations of Childcare Centers)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Collection of Required Enrollment Information by Childcare Centers, Policy 10-09

We are aware that the instructions printed on the General Record and Statement of Child's Health for Admission to Child Care Facility, (DSS Form 2900) revised in March 2010 does not include a requirement for updating the form annually. Although this form was issued by Child Care Regulatory Services, all childcare centers participating in CACFP are also required to use this form to document the child's enrollment in the center as required by CACFP regulations. **Childcare centers participating in CACFP must ensure parents complete a new DSS 2900 annually and that the required elements of the form for CACFP purposes are completed.**

Federal regulations at 7 CFR.226.15(e) stipulate, "*Recordkeeping*. Each institution shall establish procedures to collect and maintain all program records required under this part, as well as any records required by the State agency. Failure to maintain such records shall be grounds for the denial of reimbursement for meals served during the period covered by the records in question and for the denial of reimbursement for costs associated with such records. At a minimum, the following records must be collected and maintained:...

(2) Documentation of the enrollment of each participant at child care center (except for outside-school-hours care centers, emergency shelters, and at-risk afterschool care centers). All types of centers, except for emergency shelters and at-risk afterschool care centers, must maintain information used to determine eligibility for free or reduced-price meals in accordance with section 226.23(e)(1). For child care centers such documentation of enrollment must be updated annually, signed by a parent or legal guardian, and include information on each child's normal days and hours of care and the meals normally received while in care."

We previously established the month of September as the update month for enrollment forms and Free and Reduced-price Meal Applications. Unless another month has been approved by the CACFP office, all childcare centers are to have the parent/guardians complete new forms in September. If the enrollment form is not updated annually, meals claimed for the affected child or children will be disallowed. For example, an enrollment form was submitted on September 10, 2009. This form can be updated as late as September 30, 2010. If the enrollment form was updated on or after October 1, 2010, meals claimed for the child after September 10, 2010 would be disallowed.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

DSS

Serving Children and Families

KATHLEEN M. HAYES, PH.D.
STATE DIRECTOR

MARK SANFORD
GOVERNOR

May 14, 2010

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Childcare Centers and Adult Care Centers)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Documentation of Nonprofit Food Service, Policy 10-10

In November 2009, we issued policy 10-02, Request for Yearly Summary of Expense Forms. In that memorandum we reminded organizations of the Federal requirement to operate a nonprofit food service principally for the benefit of enrolled participants and maintain records documenting the operation of that food service. Since issuing that policy, our monitoring staff has noted many organizations that use the summary of expense forms do not document their food service expenses on these forms on a monthly basis. As indicated in the *CACFP Records Handbook for Child Care Centers* and the *Records Handbook for Adult Centers*, ideally, the expense should be recorded on the summary of expense form as the institution is receiving and paying invoices. Recognizing that other activity may prevent an institution from consistently recording information on the summary of expense form as purchases are made, we are establishing the requirement that the summary of expense form must be completed no later than the submission of the claim for the same month.

All required CACFP records, including documentation of allowable food service costs (food, nonfood supplies, labor, etc.), support the claim for reimbursement. CACFP institutions are also required to include their food costs on the claim for reimbursement. This data should be taken directly from the summary of expense form or report from the institution's formal accounting system. Once the claim for reimbursement is submitted, all supporting records which include the summary of expense or formal accounting system report must be filed in the appropriate CACFP folder.

If you have any questions concerning this policy memo, please contact your CACFP Consultant.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

February 16, 2011

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Child Care Centers, Adult Care Centers, Sponsors of Child Care Homes)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Privacy Protection and the Use of Social Security Numbers in Child
Nutrition Programs, CACFP Policy 11-05

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, amends statutory requirements for collection of Social Security Numbers (SSNs) in all Child Nutrition Programs. The purpose of this memorandum is to provide guidance on the implementation of this requirement.

Section 301 of the Act amends section 9(d)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(d) (1)) by removing the requirement that the adult household member who signs a household application for free and reduced-price meals also must provide his or her complete SSN, as a condition of eligibility. **As amended by the Act, Section 9(d)(1) now requires that only the last four digits of the SSN must be provided on the application.** The Act also removes the requirement that the SSN of each household member be collected to verify applications. The new requirements increase privacy protections.

Section 301 of the Act became effective on October 1, 2010. Our office is in the process of revising the following applications which request the SSN of the individual signing the form. The revised forms will clearly indicate that **only the last four digits of the SSN for the adult household member who signs the form are required**, not the full SSN.

- Application for Free and Reduced-price Meals in Child Care Food Programs, (DSS 16160)
- Application for Free and Reduced-price Meals in Adult Care Food Programs (DSS 1645)
- Income Eligibility Application for Tier II Client Households (DSS 1690)
- Application for Tier I Day Care Home Status Based on Provider's Income (DSS 1684).

In the meantime, please inform parents/guardians, household members and providers that only the last four digits of the SSN are required on the aforementioned forms.

Please contact your CACFP consultant if you have any further questions concerning this policy.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

May 17, 2011

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Child Care Centers, Sponsors of Child Care Homes)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Categorical Eligibility for Foster Children, CACFP Policy 11-06
(Revised)

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, provides categorical eligibility for free meals to foster children. The purpose of this memorandum is to provide guidance on the implementation of this provision in the Child and Adult Care Food Program.

Section 102 of the Act amends Section 9(b)(12)(A) of the Richard B. Russell National School Lunch Act (NSLA) to provide categorical eligibility for free meals, without further application, to any foster child whose care and placement is the responsibility of the State or who is placed by a court with a caretaker household. In addition, the Act amends Section 9(b)(5) of the NSLA to allow certification of a foster child for free meals, without application, if the local educational agency or other child nutrition program institution obtains documentation from an appropriate State or local agency indicating the status of the child as a foster child whose care and placement is the responsibility of the State or that the foster child has been placed with a caretaker household by a court. These provisions are effective October 1, 2010.

We strongly encourage child care institutions to establish formal mechanisms with State and local foster agencies to receive information directly from these agencies to facilitate certification for free meals for foster children.

It is important to note that these provisions only apply to foster children formally placed by a State child welfare agency or a court. They do not apply to informal arrangements that may exist outside of State or court based systems.

Changes to Application Process

This change to allow categorical eligibility for free meals for foster children necessitates changes in the way free and reduced price applications are handled. Previously, a separate application for free and reduced price meals was submitted for a foster child who was considered a household of one.

Now, the foster child is *categorically eligible* and may be certified without an application. As previously stated the child nutrition program institution must obtain documentation from an appropriate State or local agency indicating the status of the child as a foster child whose care and placement is the responsibility of the State or that the foster child has been placed with a caretaker household by a court.

Households with foster and non-foster children may also choose to include the foster child as a household member, as well as any personal income earned by the foster child, on the same household application that includes their non-foster children. This will streamline the application process and may help the foster family's non-foster children qualify for free or reduced price meals based on household size and income.

In processing the application, the child nutrition program institution would certify the foster child for free meals, and then make an eligibility determination for the remainder of the household based on the household's income (including personal income earned by the foster child) or other categorical eligibility information reported on the application. As before, foster payments received by the family from the placing agency are not considered income and do not need to be reported. Please note that the presence of a foster child in the household does not convey eligibility for free meals to all children in the household in the same manner as Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Food Distribution Program on Indian Reservation (FDPIR) participation does.

Child nutrition program institutions should implement this change as soon as possible for any new foster children identified by foster agencies or who submit applications for the remainder of this program year. Our agency is in the process of updating applications and supporting materials to reflect this change.

Please contact your CACFP consultant if you have any further questions concerning this policy.

Attachment

**Attachment for Categorical Eligibility for Foster Children, CACFP
Policy 11-06
Page 1**

Application process

Q8. When will an application need to be filled out for a foster child?

If a State or local foster agency does not initially provide documentation for a categorically eligible foster child, an application identifying the child as a foster child must be filled out. Additionally, a household may now include foster children on their application.

Q9. Is documentation from a State or local foster agency required for a foster child who is identified on an application?

Not unless the household application is selected for verification.

Q10. If a foster child is listed on a family's application as a household member and that household happens to be selected for verification, does the school need anything extra for verification?

It depends on the situation. If a household is chosen for verification and the foster child included on the application was identified by a State or local foster agency, then no additional verification is needed for the foster child. If not, then documentation verifying the foster child's status would be required.

Q11. What documentation must be provided if a foster child is listed on a household application that is selected to be verified?

Documentation from a State or local foster care agency or the court where the foster child received placement is acceptable for verification. Direct contact from the foster care agency or court (for example, a list of foster children is sent to the LEA) is also acceptable documentation for verification.

Q12. Are foster children still considered a household of one?

No. Foster children are categorically eligible so are no longer considered a household of one. In addition, foster children can now be included as part of the household on applications that include their non-foster children.

Q13. Who decides whether to include a foster child on a household application?

The household decides whether to include the foster child on their household application with non-foster children.

**Attachment for Categorical Eligibility for Foster Children, CACFP
Policy 11-06
Page 2**

Q14. If a household chooses to include a foster child on their household application, are they required to report any personal income received by that foster child?

Yes. Households must report any personal income received by the foster child on their household application. As before, foster payments received by the family from the placing agency are not considered income and do not need to be reported.

Q15. Can school food authorities determine the eligibility for the non-foster child(ren) both by including the foster child as a household member, and not including the foster child as a household member and give the better benefit level to the non-foster child(ren)?

Yes.

Q16. Now that foster children can be considered part of the household, can their eligibility be extended to other non-foster children in the household?

No. The presence of a foster child in the household does not make all children in the household eligible for free meals in the same manner as Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Food Distribution Program on Indian Reservation (FDPIR) participation does.

Q17. If the foster child leaves the household and returns to his/her own home located within the same SFA, is the foster child still eligible for free meals, even though the student is no longer considered a foster child?

Yes, a foster child's eligibility is in effect from the date of eligibility for the current school year and for up to 30 operating days in the subsequent school year.

Q18. If the foster child leaves the household and returns to his/her own home outside of the SFA, is the child still eligible for free meals even though the student is no longer considered a foster child?

Yes, as long as the SFA agrees to accept the original eligibility determination. In this scenario, the former foster child's eligibility/application is handled like any other transfer student's.

Q19. Is the non-foster household that qualified for free meals based on including the foster child as a household member, still eligible for free meals once the foster child leaves their home?

**Attachment for Categorical Eligibility for Foster Children, CACFP
Policy 11-06
Page 3**

Yes, the non-foster household would continue to be eligible for the current school year and up to 30 operating days in the subsequent school year.

Q20. If a child is in a home for just a few days in an emergency placement, can the foster family count the child and apply for benefits?

Yes, a household may apply for eligibility at any time.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

May 16, 2011

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Water Availability in the Child and Adult Care Food Program,
CACFP Policy 11-09

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, establishes a requirement to make potable water available to children in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of this provision.

Section 221 of the Act added a new provision to the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(u)). This new provision requires child care centers, child care homes, at-risk afterschool programs, and shelters participating in CACFP to make drinking water available to children, as nutritionally appropriate. Throughout the day, including at meal times, water should be made available to children to drink upon their request, but does not have to be available for children to self-serve. **While drinking water must be made available to children during meal times, it is not part of the reimbursable meal and may not be served in lieu of fluid milk.**

This requirement does not apply to adult day care centers, though those facilities are encouraged to ensure drinking water is available to participants.

The 2010 Dietary Guidelines for Americans do not establish a daily minimum intake for water consumption, but do recommend that water be consumed daily. However, caregivers should not serve young children too much water before and during meal times; excess water may lead to meal displacement, reducing the amount of food and milk consumed by the children. We encourage facilities and sponsors should encourage their facilities to serve water with snacks when no other beverage is being served, and in lieu of other high calorie, sweetened beverages (juice drinks, soda, sports drinks, etc.) that are served outside of meal times.

Water Availability in the Child and Adult Care Food Program
CACFP Policy 11-09

Page 2

Water can be made available to children in a variety of ways which include but are not limited to: having cups available next to the kitchen sink faucet, having water pitchers and cups set out, or simply providing water to a child when it is requested.

USDA and our office expect that this provision can be instituted with no or very low cost. However, circumstances may arise in which safe water is not readily available in a facility. In these instances, purchasing water for children may be considered a reasonable and allowable cost for participating facilities. The purchasing of water will continue to be an unallowable cost if purchased for adult or employee consumption.

This provision is effective immediately; therefore sponsors should notify facilities of these required changes now. However, to provide adequate time for training and technical assistance, full compliance should occur no later than October 1, 2011.

Please contact your CACFP consultant if you have any further questions concerning this policy.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

October 13, 2011

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Fluid Milk and Fluid Milk Substitutions in the Child and Adult Care Food Program, Questions and Answers, CACFP Policy 11-10-REVISED

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, modified requirements for fluid milk and fluid milk substitutions in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of these provisions. This memo was initially issued on May 16, 2011. Information that has been added or revised in the memo is in bold.

Section 221 of the Act amends section 17(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(g)) by requiring that fluid milk served in the CACFP be consistent with the most recent version of the Dietary Guidelines for Americans and allowing the substitution of non-dairy beverages that are nutritionally equivalent to fluid milk in cases of special dietary needs.

Fat-Free and Low-Fat Milk

Milk served in the CACFP must be consistent with the most recent version of the Dietary Guidelines for Americans. The 2010 Dietary Guidelines recommend that persons over two years of age consume fat-free (skim) or low-fat (1%) fluid milk. Therefore, fluid milk served in CACFP to participants two years of age and older must be: fat-free or low-fat milk, fat-free or low-fat lactose reduced milk, fat-free or low-fat lactose free milk, fat-free or low-fat buttermilk, or fat-free or low-fat acidified milk. Milk served must be pasteurized fluid milk that meets State and local standards, and may be flavored or unflavored. Whole milk and reduced-fat (2%) milk may not be served to participants over two years of age.

Because the Dietary Guidelines for Americans do not address milk served to children under the age of two, our requirements relating to children in this age group are unchanged at this time.

Non-dairy Beverages

In the case of children who cannot consume fluid milk due to medical or other special dietary needs, other than a disability, non-dairy beverages may be served in lieu of fluid milk. Non-dairy beverages must be nutritionally equivalent to milk and meet the nutritional standards for fortification of calcium, protein, vitamin A, vitamin D, and other nutrients to levels found in cow's milk, as outlined in the National School Lunch Program (NSLP) regulations at 7 CFR 210.10 (m)(3). CACFP State agencies have the discretion to identify appropriate substitutions that meet these requirements. **We have coordinated with the State agency operating the National School Lunch Program (NSLP), the SC Department of Education, to ensure consistency in identifying appropriate locally available substitutions. A list of these substitutions is attached to this memo.**

Parents or guardians may now request in writing non-dairy milk substitutions, as described above, without providing a medical statement. As an example, if a parent has a child who follows a vegan diet, the parent can submit a written request to the child's caretaker asking that soy milk be served in lieu of cow's milk. The written request must identify the medical or other special dietary need that restricts the diet of the child. Such substitutions are at the option and the expense of the facility. The requirements related to milk or food substitutions for a participant who has a medical disability and who submits a medical statement signed by a licensed physician remain unchanged.

This provision is effective immediately; therefore sponsors should notify facilities of these required changes now. However, to provide adequate time for training and technical assistance, full compliance should occur no later than October 1, 2011.

Please contact your CACFP consultant if you have any further questions concerning this policy.

Attachments: CACFP Policy 11-10, Questions and Answers
Milk Substitution in the CACFP

CACFP Policy 11-10, Questions and Answers

A. NON-DAIRY MILK SUBSTITUTIONS

- 1. Is a caregiver required to provide a non-dairy milk substitute if it is not related to a medical disability?**

No. It is at the caregiver's discretion to provide a non-dairy milk substitute if it is not related to a medical disability.

- 2. Will caregivers receive additional meal reimbursements if they provide a non-dairy milk substitution?**

No. All non-dairy milk substitutions are at the expense of the caregiver and/or the child's parent or guardian.

- 3. If a parent provides a creditable non-dairy milk substitute, can the caregiver serve it and still receive reimbursement?**

Yes. If a parent provides a non-dairy milk substitute that meets the nutritional standards as outlined in 7 CFR 210.10(m)(3) and that has been approved by the State agency, the caregiver may serve the non-dairy milk substitute and still claim reimbursement for the meal.

- 4. If a parent or adult participant can request a non-dairy milk substitute that is equivalent to cow's milk, can the parent or adult participant also request that their child or themselves be served whole or reduced-fat (2%) milk?**

No. The Act requires that milk served to children and adults in the CACFP be aligned with the most recent version of the Dietary Guidelines for Americans. The 2010 Dietary Guidelines for Americans recommends that persons over the age of two consume low-fat (1%) or fat-free (skim) milk. Therefore, any request for higher fat milk must be made through a medical statement, related to a medical disability, and prescribed by a licensed physician.

B. COMPLIANCE

- 5. What if the parent agrees to provide the non-dairy substitute, but brings in one that does not meet the USDA's nutritional standards; can the caregiver serve it and still receive reimbursement?**

Caregivers should inform parents about the types of creditable non-dairy milk substitutes. If a non-dairy milk substitute is served that does not meet the nutritional standards outlined in 7 CFR 210.10(m)(3), then the meal is not reimbursable.

6. When submitting menus for review, do caregivers need to document the type of milk that they serve?

No. Caregivers are not required to document the type of milk served on their menus. However, it is the responsibility of the State or sponsor, as applicable, to ensure that the correct type of milk is being served when conducting reviews.

7. What type of milk may one-year-old children be served?

The milk requirements for children one year of age remain unchanged at this time. It is recommended, but not required, that children 12 through 23 months of age be served whole milk only.

8. If one-year-old and two-year-old children sit together for the same meal, must they be served different types of milk?

Children older than two must be served low-fat (1%) or fat-free (skim) milk and it is recommended that children one year of age be served whole milk. Providers must ensure that children of various ages seated at the same meal receive the appropriate type of milk.

9. What happens if a caregiver serves reduced-fat (2%) or whole milk on or after October 1, 2011?

Effective October 1, 2011, meals served to participants two years of age and older that include reduced-fat (2%) or whole milk are not reimbursable and must be disallowed. In addition, the provider should submit a corrective action plan and the State agency or sponsor should follow-up to ensure that it has been successfully implemented.

C. ADULT PARTICIPANTS

10. Must adults participating in the CACFP be served 1% or fat-free milk only?

Yes. The provision in the law [42 USC §1766(g)] requires all CACFP institutions to serve low-fat or fat-free milk, which includes adult day care facilities.

11. Can adults submit a written request for a non-dairy milk substitution?

Yes. Adult participants, or their caregivers, may request in writing a non-dairy milk substitute that meets the nutritional standards as outlined in 7 CFR 210.10(m)(3) and that has been approved by the State agency.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

May 16, 2011

MEMORANDUM

TO: Child and Adult Care Food Program Administrators
(Child Care Centers)

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: CACFP Enrollment Documents, CACFP Policy 11-11

This memorandum provides clarification for items required in the enrollment package for child care centers participating in the Child and Adult Care Food Program (CACFP). Please keep mind that a complete enrollment package may vary from center to center. There are six items that generally should be included with the child care center's materials distributed to parent/guardians for enrollment purposes. The CACFP enrollment documents are as follows:

- **DSS 2900 (General Record and Statement of Child's Health for Admission to Child Care Facility)**
- **Dear Parent/Guardian Letter**
- **Free and Reduced-Priced Meal Application (FRPMA) (DSS 16160)**
- **Infant Statements (DSS 3354)**
- **Building for the Future Flyer**
- **WIC Flyer**

Additional information regarding the above documents is attached to this policy.

EXCEPTIONS

Child care centers that do not provide care to children less than one year of age and Early Head Start centers are not required to include the infant statement in their enrollment package.

Head Start centers are not required to include the Dear Parent/Guardian letter and the Free and Reduced-price Meal Application in their enrollment package since Head Start children are categorically eligible for free meals. However, Head Start centers are required to include the complete CACFP non-discrimination statement in the enrollment package or Parent Handbook.

PROVIDING FORMS TO LIMITED ENGLISH PROFICIENT PARENTS/GUARDIANS

In accordance with the *Civil Rights Compliance and Enforcement—Nutrition Programs and Activities* (FNS Instruction 113-1), centers participating in the CACFP must take reasonable steps to assure “meaningful” access to information and services available to parents and children in their primary speaking language. South Carolina has a large Spanish-speaking population and most of the forms and flyers are readily available in Spanish such as the FRPMA, Dear Parent/Guardian letter, Infant Statement, Building for the Future flyer, and DSS 2900. We will allow the following **options** regarding the maintenance of the CACFP enrollment packets for our participating child care centers.

- The child care center may continue including both the English and Spanish versions of the required documents in its pre-made enrollment packages.
- The child care center may elect to omit the Spanish version of the required documents in its pre-made enrollment packages. This means that a child care center representative must have the Spanish versions on hand and may provide the parent/guardian with a copy of the forms translated in Spanish only when needed.
- The child care center may establish a pre-made Spanish enrollment package with all required items translated in Spanish. This package would be maintained in addition to the English version of the enrollment package.

If you have any questions or need additional assistance, please contact your CACFP consultant or the CACFP office via e-mail cacfp@dss.sc.gov.

Attachment

Child and Adult Care Food Program Enrollment Documents

DSS 2900 (General Record and Statement of Child's Health for Admission to Child Care Facility)

The DSS 2900 is considered the child's enrollment form for CACFP purposes. Centers participating in the CACFP must ensure that parents complete a new DSS 2900 annually. We request that the new form be completed in the month of September unless another month has been pre-approved by the center's CACFP Consultant.

Dear Parent/Guardian Letter

The Dear Parent/Guardian letter accompanies the Free and Reduced-price Meal Application and explains the purpose of the FRPMA to parents/guardians. As of July 2011, this letter will no longer include the reduced-price income eligibility guidelines.

Free and Reduced-Priced Meal Application (FRPMA)

As of July 2011, the FRPMA will change annually. The FRPMA will now include the reduced-price income eligibility guidelines. Head Start centers are not required to collect the FRPMA for its facilities.

Infant Statements

The infant statement is used to inform parents/guardians of the child care facility's responsibility to provide a CACFP meal to infants. The child care facility **MUST** write the name of the iron-fortified formula that it will purchase to serve to infants on the infant statement prior to making copies and distributing to parent/guardians. Parents will identify on the form whether they will accept the formula and solid food provided by the child care facility or not. Only child care facilities that accept children under the age of 12 months must use the infant statement. Head Start centers are not required to distribute the infant statement.

Building for the Future Flyer

This flyer is used to enlighten the parent/guardian about the CACFP. The child care facility **MUST** write the facility's name, address, city, state, zip and telephone number on the flyer prior to distribution. It is not necessary to collect this flyer back from the parent/guardians.

WIC Flyer

This flyer is used to enlighten the parent about the Women, Infants and Children (WIC) program; therefore it is not necessary for the center to collect this flyer back from the parent/guardians.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

May 17, 2011

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Child and Adult Care Food Program Applications, CACFP Policy 11-13

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, modifies the requirements for the periodic submission of renewal applications by institutions participating in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of this modification to the CACFP.

Section 331(b) of the Act amends Section 17(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)) with regard to institution application requirements in the CACFP. Under previous statutory and regulatory requirements, renewing institutions were required to re-apply at intervals of between 12 and 36 months after their initial application was approved by the State agency. Section 331 of the Act stipulates that institutions will no longer be required to re-apply after submitting the initial application; rather, they will be required to submit annually information as described below.

Thus, the requirements set forth at 7 CFR §226.6(b)(1) for new institutions submitting an initial application remain unchanged. However, renewing institutions are no longer required to submit a renewal application. Instead, renewing institutions will be required to annually submit:

- Updated licensing information for each independent center and facility participating in CACFP (this represents no change from current regulations at 7CFR §226.6(f)(1)(vi)). Since the current policy allows the State agency to obtain this information directly from the State licensing agency rather than requiring submission by the institution, our office will confirm the licensing status of participating child care facilities with the South Carolina Department of Social Services (SCDSS) Child Care Licensing and Regulatory Services. Sponsoring organizations must continue to maintain a copy of the sponsored facility's current license or registration in their file.

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- A single certification that any information previously submitted to the State to support all of the eligibility requirements set forth in 7 CFR §226.6(b)(2) for the institution, its facilities and all of its current principals is current, or that the institution has submitted any changes or updates to the State. This certification must address all required elements. Our office will continue using the process previously used for application updates.
- For sponsoring organizations, a budget for the upcoming year and, if required by the State agency, a budget for independent centers (this represents no change from current regulations at 7 CFR §§226.6(f)(1)(iv) and 226.6(f)(3)(iv)(A)).

All annual responsibilities contained in 7 CFR §226.6(f)(1) continue to apply.

The United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) plans to issue a proposed rule implementing these and other changes. However, until FNS analyzes comments on the proposed rule and issues a final rule, participating institutions are required to submit only the updated information specified by the State agency.

Please contact your CACFP consultant if you have any further questions concerning this policy.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

May 17, 2011

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Permanent Agreements in the Child and Adult Care Food Program,
CACFP Policy 11-15

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, was signed into law by the President on December 13, 2010. The Act modifies requirements for permanent agreements in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to implement these modifications to the CACFP.

Section 331(a) of the Act amends section 17(d)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)(1)) to require permanent operating agreements between the State agency and institutions participating in the CACFP. Previously, under 7 CFR 226.6(b)(4), permanent agreements were required for School Food Authority (SFA) sponsors and were optional and granted solely at the discretion of the State for other sponsors.

It is important to understand that describing the agreement as “permanent” is intended solely to convey that the agreement has no predetermined expiration date and does not need to be renewed. Such agreements may be amended as necessary to ensure compliance with all federal requirements. Such agreements may be terminated for convenience, in accordance with Program regulations, by the institution or State agency that is a party to the permanent agreement. Permanent agreements shall be terminated for cause by the State agency if the institution fails to adhere to program requirements.

The provisions requiring permanent agreements for the CACFP are retroactive to October 1, 2010. Therefore, all new CACFP agreements between the South Carolina Department of Social Services and institutions entered into on or after October 1, 2010 must be permanent. Additionally, all current annual agreements must be converted to permanent agreements. SCDSS will convert the current agreements that are scheduled to end either September 30, 2012 or September 30, 2013 through the issuance of a *Contract Change Order* document.

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Institutions that participate in the CACFP must continue to submit budgets as required under 7 CFR 226.7(g).

Additional provisions in sections 331(b) and (c) of the Act relating to CACFP applications, reviews, and agreements between sponsors and facilities will be addressed in future guidance.

Please contact your CACFP consultant if you have any further questions concerning this policy.

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES
POST OFFICE BOX 1520
COLUMBIA, SOUTH CAROLINA 29202-1520**

May 17, 2011

MEMORANDUM

TO: All Child and Adult Care Food Program Administrators

FROM: Mary A. Young, Program Manager
Child and Adult Care Food Program

SUBJECT: Eligibility of Children Evacuated from Japan and Bahrain,
CACFP Policy 11-16

The United States Department of Agriculture (USDA) recognizes that many families are being evacuated from Japan due to the recent disasters. Some families are moving to safer areas, including the United States. These students are eligible for meal benefits if they enroll in a participating school or institution. This memorandum provides guidance on providing free or reduced price benefits to these students and, if applicable their host families.

Determining Eligibility for the Child and Adult Care Food Program (CACFP)

Sponsors and institutions in the CACFP that require eligibility information can accept certification of the child's or adult's homeless status from the agency that assisted with the evacuation or is providing shelter. If the child is not residing in an emergency shelter, the institution should have an adult living with the child complete an income eligibility form indicating that the child is homeless. No further information is required to certify that child's eligibility.

Determining Eligibility for Host Families

A child or family may temporarily reside with another household and still be considered homeless under the McKinney-Vento Homeless Assistance Act. In these cases the household size and income of the host family is not taken into consideration in determining the free meal eligibility for the child(ren) designated as homeless by the local educational agency (LEA) or institution's liaison.

Additionally, when a host family applies for free and reduced price meals for their own children, the host family may include the homeless family as household members if the host family provides financial support to the homeless family, such as shelter, utilities, clothing or food. In such cases, the host family must also include any income received by the homeless family. The

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LEA, or the appropriate child care institution, determines eligibility for the host family in the traditional manner.

However, free meal eligibility for the homeless child is based on the documentation provided by the homeless liaison or other source, even when the child is included on the host family's free and reduced price meal application. Part 5, Section E of the Eligibility Manual for School Meals provides information about certifying homeless children. Institutions should inform their CACFP consultant of other questions regarding the status of the evacuees.

Please contact your CACFP consultant if you have any further questions concerning this policy.