

Reviews and Serious Deficiencies

As a sponsor of the Child and Adult Care Food Program (CACFP), the Association for Child Development (ACD) has a responsibility to the Michigan Department of Education (MDE) and the United States Department of Agriculture (USDA) to ensure all Child Care Centers remain in compliance with state and federal regulations. To do this, ACD's Compliance Department regularly conducts reviews and audits of Center Files as well as household contacts. Results of Center Reviews and Household Contacts serve to protect and support all participating Child Care Providers nationwide.

Center Reviews

A Center review is an all-encompassing picture of a Center's CACFP participation during the current fiscal year (Oct. 1-Sept. 30). It is prompted by Field Monitor documentation, information gathered during Claim processing, complaints, or concerns from parents/guardians, complaints or concerns from the Department of Human Services (DHS), or the Michigan Department of Education (MDE), or by random selection by ACD.

All paperwork in a Center's file is reviewed by ACD to ensure it supports the Center's reimbursement claims (e.g., Child Enrollment Forms, Claims, and Center Review Forms).

Serious Deficiencies

A Center may be terminated from participating on the CACFP for seven years if:

- ✔ Center claims children no longer in their care.
- ✔ Center claims children at meals/snacks when the children were not present for the meal service
- ✔ Center claims more children than their license capacity allows.
- ✔ Center's ACD Field Monitor has made repeated, but unsuccessful, attempts to conduct Home Reviews, yet Claims were made at the times of the attempted Home Review.
- ✔ False telephone numbers and/or addresses of parents/guardians of registered children are documented on Child Enrollment Forms or Schedule Change Forms.
- ✔ Enrollment Forms, Schedule Forms, and/or Parent Questionnaires are returned to ACD by the postal service because, according to the postal service, there is no such address.

- ✔ Center fails to maintain attendance and/or Claims on a daily basis.
- ✔ Center threatens, or acts inappropriately with, the ACD Field Monitor or any other CACFP staff member.
- ✔ Center refuses to allow an ACD Field Monitor to conduct Center Review.

Household Contacts

Contacting parents/guardians of enrolled children to verify attendance is often required by MDE, as are unannounced follow-up home reviews. Both of these methods are utilized at ACD to ensure Centers are in compliance.

Termination

Terminations occur when Centers are deemed seriously deficient.

For a detailed list of serious deficiencies, please review your ACD Center Handbook.

NOTE: When a serious deficiency constitutes an imminent threat to the health or safety of children or the public, ACD must immediately suspend the Center's participation with an intent to terminate.

Serious Deficiency Notification Requirements
If the sponsor determines that a Child Care Center has committed one or more serious deficiencies listed, the sponsor must immediately:

- ✔ Provide the center with written notice of the serious deficiency(ies).
- ✔ Offer the center an opportunity to take corrective action.
- ✔ Provide a copy of the serious deficiency notice to MDE.

The note must specify:

- ✓ The serious deficiency(ies).
- ✓ The actions to be taken by the Center to correct the serious deficiency(ies).
- ✓ The time allotted to correct the serious deficiency(ies).
- ✓ That the serious deficiency determination cannot be appealed.
- ✓ That failure by the Center to fully and permanently correct the serious deficiency(ies) within the allotted time will result in the sponsor's proposed termination of the Child Care Center and its principals.
- ✓ That the Child Care Center's voluntary termination of her/his agreement with the sponsor after having been notified that she/he is seriously deficient will still result in the Child Care Center's formal termination and placement on the National Disqualified List.

The notice must be sent by certified mail, return receipt (or the equivalent private delivery service). If the notice is undeliverable, it is considered to be received five days after being sent to the addressee's last known mailing address.

Corrective Action: Successful

If the Center corrects the serious deficiency(ies) within the allotted time and a follow-up unannounced review indicates the serious deficiency(ies) has (have) been corrected, the sponsor must notify the Center that the serious deficiency determination is rescinded.

Step 1

Center submits corrective action plan to the sponsor before the deadline (as soon as possible but no later than 16 calendar days from receipt of serious deficiency notice).

Step 2

Sponsor submits written notice to the Center rescinding the serious deficient declaration.

Step 3

Sponsor conducts unannounced follow up review to verify corrective action. If the same serious deficiency is found during a future home review, the sponsor will propose to terminate the agreement without further opportunity to correct the serious deficiency.

For example, if the Center repeats the infraction four months later, ACD may move forward with the "Intent to Terminate" from ACD.

Corrective Action: Not Successful

If the Center does not fully and permanently correct the serious deficiency(ies) within the required time, the sponsor must issue a notice proposing to terminate the Center's agreement for cause.

For more information on proposed termination, please review your ACD Center Handbook.

