



# COMPLIANCE REQUIREMENTS

## ASSOCIATION FOR CHILD DEVELOPMENT

As a sponsor of the Child and Adult Care Food Program (CACFP), the Association for Child Development (ACD) has a responsibility to the Illinois State Board of Education (ISBE) and the United States Department of Agriculture (USDA) to ensure all Child Care Providers' claims comply with the federal regulations. During recent years, the USDA has required more accountability concerning U.S. tax dollars spent on the food program. This has led to new federal regulations such as the Five-Day Reconciliation.



Furthermore, ISBE has enacted a "three strikes" policy for each seriously deficient infraction. It has become imperative that each Provider under ACD's sponsorship take notice of the causes of serious deficiency in order to avoid termination from the food program. Termination will lead to a disruption of participation in the CACFP anywhere in the country for seven (7) years or until such time as the state agency determines that the serious deficiencies have been corrected. If you owe money to the CACFP you will receive information regarding the repayment of those funds.

### CACFP SERIOUS DEFICIENCIES

- Submission of false information on the Site Information Sheet.
- Submission of false information on Menus.
- Submission of false information on Child Enrollment Forms.
- Participation under more than one sponsor simultaneously.
- Failure to meet the meal pattern and/or infant meal pattern as supplied by the USDA.
- Failure to maintain daily meal/snack attendance and menus.
- Meals/snacks not served at the time of the Home Review but claimed other days.
- Field Monitor unable to observe all children in attendance during a shifted meal/snack at the time of the Home Review.
- Inappropriate claiming on holidays (New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day).
- Fewer children than normal claimed or no children present when a Home Review is conducted by the Field Monitor when the Provider's records indicate children were attending and were claimed every other day (Five-Day Reconciliation).
- Failure to keep paperwork up-to-date.
- Meal/snack attendance recorded in advance.
- Paperwork not accessible to the Assistant when the Provider is not home during a Home Review.
- Failure to allow Field Monitor to conduct Home Review.
- Provider not at home or child care home closed for attempted Home Review during a meal/snack service time when Provider did not contact ACD in advance.
- Failure to allow required CACFP training.
- Failure to inform ACD of changes in license, for example, change of address, capacity changes, etc.
- Failure to follow approved meal/snack service times. Meal/Snack observation missed by the Field Monitor because meal/snack was served earlier.
- Number of children present over the license capacity, number of children observed at Home Review over capacity, or Assistant not present when number of children present is over capacity.
- Submission of inaccurate information on the Household Income Eligibility Application.
- Provider's own residential children claimed without non-residential enrolled children in attendance.
- Meal/snack observed at a Home Review missing components.
- Existing conditions in the home threaten the health or safety of a child in care or the health or safety of the public. Note: When a serious deficiency constitutes an imminent threat to the health and safety of children or the public, ACD must immediately suspend the Provider's participation.

CACFP SERIOUS DEFICIENCIES CONTINUED →

- Determination that a Provider has been convicted of any activity that occurred during the past 7 years indicating a lack of business integrity. This includes fraud, anti-trust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false

statements, receiving stolen property, making false claims, obstruction of justice, and/or any other activity indicating a lack of business integrity as defined by the state agency or the concealment of such a conviction.

- Failure to abide by the ACD “Code of Conduct” as a Provider on the CACFP.

## WHAT HAPPENS IF YOU RECEIVE A SERIOUS DEFICIENCY?

If it is your first infraction for a specific serious deficiency...

- Your Field Monitor will indicate the required corrective action on the ACD Home Review Form and you must sign it. This serves to document that you have corrected the problem and will continue to fully and permanently be in compliance with the CACFP regulations.

OR

- You may receive a letter from ACD requiring you to submit a written Corrective Action Plan. This plan must address how you will correct the serious deficiency finding so you will be in compliance with the CACFP regulations.

If it is your second infraction for a serious deficiency...

- You will be declared “Seriously Deficient” and will have to submit a detailed Corrective Action Plan to ACD stating how you will change methods and actions in your child care home so that you will not be “Seriously Deficient” again. Once approved by ACD, you will have to follow this Corrective Action Plan **permanently**. Failure to submit a comprehensive and complete Corrective Action Plan will result in a proposed termination. *Note: Contacting parents/guardians of enrolled children to verify attendance is often necessary, as are unannounced follow-up Home Reviews, to assure Providers are in compliance.*

## WHAT HAPPENS IF YOU RECEIVE A NOTICE OF INTENT TO TERMINATE?

If you choose to appeal...

- You must contact ACD in writing to inform the Compliance Manager that you would like to appeal the Intent to Terminate notice. A hearing officer, who is a neutral party, will review your file. You may continue to participate and receive CACFP reimbursement for eligible meals/snacks served until the appeal is concluded.

If you choose not to appeal...

- You will be sent a Notice of Termination and Disqualification. Your name will be placed on the National Disqualified List for seven (7) years or until such time as the state agency determines that the serious deficiencies have been corrected. This means you cannot claim on the CACFP nationwide. If you owe money to the CACFP, you will receive information regarding the repayment of those funds. Your name will remain on the National Disqualified List beyond Seven (7) years if you continue to owe money to the CACFP.

## Meal Claiming Requirements

- For each meal/snack that you serve and want to claim for reimbursement, record the meal/snack components and the children’s attendance at the meal/snack on the Menu before midnight on the day the meals/snacks are served. You may not record meal counts/attendance on the Menu before the meal time. If you are an online claimer and are unable to access your Web Kids menus, you must record your meals and attendance on paper and transfer the information later.
- You may only claim a maximum of two meals and one snack OR one meal and two snacks per child per day.
- The meal components that you record on your Menu must be the meal components that are actually served.

### ACD Michigan

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*The Association for Child Development  
educates parents and caregivers about  
nutrition to promote the development of  
children and establish healthy  
eating habits to last a lifetime.*

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