Ohio Child and Adult Care Food Program

Sponsoring Organization and Family Day Care Home Provider Permanent Agreement

Instructions: This agreement must be completed and signed by the provider and a representative of the sponsoring organization. A copy must be kept at the sponsoring agency and a copy is to be returned to the provider for their records.

This agreement is entered into this _____ day of _____, 20____ by and between

_____, of _____, and
Sponsoring Organization Name *Sponsor Address*

_____, of _____
Provider Name Provider Address

This agreement specifies the rights and responsibilities of the Sponsoring Organization and the Family Day Care Home Provider as participants in the Child and Adult Care Food Program (CACFP) administered through the Ohio Department of Education (ODE).

RIGHTS AND RESPONSIBILITIES OF THE SPONSORING ORGANIZATION

In accordance with Child and Adult Care Food Program Regulations, the sponsoring organization agrees to:

1. Administer the CACFP Family Day Care Program in accordance with Federal Regulations 7CFR 226 and as specified in USDA Food and Nutrition Services and State Agency handbooks, instructions and guidance.

2. Train providers in program requirements before provider begins participation in the CACFP and offer additional training sessions at times and places that are convenient to providers. Respond to a provider's request for technical assistance.

3. Assure that each provider attends CACFP training at least once during the fiscal year. At minimum, annual training content must include the following topics: CACFP meal pattern requirements, reimbursement process, accurate meal counts, claims submission and recordkeeping.

4. Provide all required CACFP recordkeeping forms to the provider.

5. Evaluate menus served, meal counts and other required provider records to determine if a valid claim was submitted.

6. Use, at minimum, the following oversight tools to assess provider's records and avoid improper payments: standard review elements, edit checks, enrollment forms, five-day reconciliations of meal counts and household/parent contact.

7. Determine which day care homes under its sponsorship are eligible at Tier 1 homes by school data, census data or income eligibility data. Verify income information and update tier designations for all providers as needed or required.

8. Inform Tier 2 providers of the three options available to qualify income eligible children for Tier 1 meal rates. On request from the Tier 2 provider, the sponsor will collect income eligibility applications and determine income eligibility of enrolled children and/or identify categorically eligible children for Tier 2 rates. The three options are: 1) the sponsor will not collect income eligibility applications on enrolled children and all meals will be reimbursed at the Tier 2 rate of reimbursement; 2) the sponsor will distribute income eligibility applications to households of all enrolled children and collect forms to determine meal reimbursement based on family income; and 3) the sponsor will collect income eligibility data only on enrolled children based on their participation in an expanded or categorical eligible program.

9. Keep enrolled children's household income eligibility information confidential from providers and limit the use of such information to persons directly involved with the administration of the CACFP.

10. Reimburse the provider within five working days, after receiving reimbursement from ODE, the full food service rate set by the U.S. Department of Agriculture based on the tier designation for each allowable meal served to enrolled children in an approved day care home. Reimbursement will not be requested for invalid provider claims.

11. Charge no fee to the provider for CACFP services.

12. Monitor each provider at least three times per CACFP fiscal year during hours of child care operation and, at minimum, review meal service records, observe a meal service and provide CACFP nutrition related technical assistance. These monitoring reviews must meet the following criteria: a) at least two of the three monitoring reviews must be unannounced; b) one unannounced review must include the observation of a meal service; c) no more than six months may elapse between each review; d) new providers must be reviewed within the first four weeks of CACFP operation. The sponsor may exercise the option of averaging monitoring reviews.

13. Declare a provider seriously deficient if findings meet established serious deficiency criteria. Follow serious deficiency process as defined in the CACFP regulations. Provide opportunity for provider to request an administrative review (appeal) if a notice to propose to terminate and disqualify or if a notice of suspension due to imminent threat to health and safety is issued.

14. Establish and inform providers of the due date in which they must submit their monthly meal documentation.

15. Restrict transfers of day care homes between sponsoring organizations to October, except under extenuating circumstances, such as termination of the sponsoring organization's agreement. Allow providers to change sponsoring organizations at any time if they have not submitted a claim during the current program year.

16. Assure all meals claimed for reimbursement are served to enrolled children without regard to race, color, national origin, age, gender or disability.

17. Collect data, maintain records, submit reports as required to assure all non discrimination laws, regulations, policies, instructions and guidelines are followed for all entities receiving federal financial assistance.

RIGHTS AND RESPONSIBILITIES OF THE DAY CARE PROVDIER

In accordance with Child and Adult Care Food Program Regulations (CACFP), the provider agrees to:

1. Participate in the CACFP with only one sponsoring organization at a time.

2. Be a certified family day care provider or have alternate approval according to ODE guidelines and maintain and provide current documentation to support certification or alternate approval.

3. Maintain required child care child/staff ratios. Failure to do so could result in meal disallowance, serious deficiency determination, suspension and termination of Program agreement.

4. Serve meals to all enrolled children without regard to race, color, national origin, gender, age or disability.

5. Participate in CACFP training prior to participation in the program and at least annually (once per fiscal year) thereafter or as required by the sponsoring organization.

6. Keep accurate daily records of:

    a) The names of enrolled children present/daily attendance,
    b) The number of meals by type, served to enrolled children, and
    c) Menus for each meal that list the food served to enrolled children.

7. Record meal counts by the end of the day if 12 or fewer children are enrolled. Record meal counts at the point of service if more than 12 children are enrolled and/or if provider has been declared seriously deficient.

8. Serve meals for approved meal types and maintain menus that meet CACFP meal requirements for the ages of the children in care.

9. Offer parents of infants at least one type of iron fortified infant formula when caring for their infant. Have parents of infants under one year of age complete the Infant Meals Parent Preference Form indicating their preference of who will provide their infant's formula and food.

10. Comply with the recordkeeping requirements established in 226.18 (e) & (g) and 226.10 (d). Failure to maintain such records shall be grounds for the denial of reimbursement and could result in being declared seriously deficient.

11. Claim meals served to enrolled income eligible children, living in the provider's home only if enrolled children who live outside the provider's home are served the same meal at the same time.

12. Claim reimbursement for no more than two meals and one snack or two snacks and one meal for each enrolled child each day. The provider is not eligible to claim meals for non-enrolled children or for meals served to children in excess of the homes authorized capacity.

13. Claim only one meal per child at each meal service.

14. Serve meals to all enrolled children at no charge to parents.

15. Submit meal count records, menu records, new enrollment forms and other required documents to the sponsoring organization by the established due date each month. Failure to do so may result in loss of payment for the month.

16. Inform the sponsoring organization, without delay, about any change in claim status including but not limited to:

    a) The names of children added or dropped from enrollment
    b) The provider or home's certification, or approval status
    c) Provider name, address and phone number
    d) Income information as supplied for purposes of Tier I designation or income eligibility of own/residential children
    e) Changes in meal times, shifts, or days of operation

17. Notify the sponsoring organization in advance whenever planning to be away from the home during a meal service period.

18. Complete and sign a new permanent agreement when provider's name or address changes.

19. Allow representatives of the sponsoring organization, ODE Auditor of State and the U.S. Department of Agriculture to enter the provider's home (announced or unannounced) to review CACFP operations. Visits will be made during the provider's normal hours of operation.

20. Claim Child and Adult Care Food Program reimbursement only for program meals approved by the state agency on the CACFP application and as updated locally by the sponsor and documented by valid child enrollment forms.

21. Follow the state agency's policy that restricts the transfer of day care home providers between sponsoring organizations to the month of October if the provider has submitted a claim during the current fiscal year. Day care home providers initiate this process and the current sponsoring organization must sign and date the transfer form by October 31st for the transfer to be effective. A provider may change to another sponsoring organization if they have not submitted a claim with their sponsor during the current fiscal year. Family day care home providers are to initiate the change and the current sponsoring organization must complete the change form.

22. Return claim overpayments to sponsoring organization upon request if payment was made for an invalid claim. Failure to do so is cause for seriously deficient determination and could lead to termination of Program agreement.

23. Distribute a copy of sponsor letter to parents, when issued a propose to terminate letter or suspension, if requested by sponsoring organization.

24. Request an administrative review if the sponsoring organization issues a notice of proposed termination of the day care homes Program agreement, or if the sponsoring organization suspends participation due to health and safety concerns, in accordance with §226.6(1)(2).

Failure to comply with the above responsibilities could result in loss of reimbursement to the provider which could include suspension and or termination and disqualification of future participation. Either party may terminate this agreement to participate in the CACFP for cause or convenience with written notice.

CERTIFICATION: We certify to the best of our knowledge the information on this form is true and correct. We will comply with the rights and responsibilities outlined in this agreement. We understand this information is given in connection with receipt of federal funds and deliberate misrepresentation may subject us to prosecution under applicable state and federal criminal statutes.

Provider Signature	**Date**	**Birth Date (month, day, year)**

Sponsoring Organization Representative Signature	**Date**

The Child and Adult Care Food Program is available to all eligible participants regardless of race, color, national origin, sex, age or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

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