



## SECTION 3: Staffing, Hiring, Training, and Civil Rights Requirements

Family day care homes, group homes and sponsoring organizations must follow staffing, hiring, training, and Civil Rights requirements.

- Staffing
- Hiring Home Providers
- Training Requirements
- Civil Rights



# Staffing

Each sponsoring organization (SO) of family day care homes (FDCH) and group homes shall provide adequate supervisory and operational personnel for effectively managing and monitoring the program at all day care facilities under its sponsorship. Personnel shall be maintained to monitor and provide technical assistance to FDCHs under the SO's jurisdiction at least three times per year. A SO of FDCHs must document that, to perform monitoring, it will employ the equivalent of one full-time staff person for each 50 to 150 FDCHs it sponsors.

Effective July 29, 2003, an SO must employ the equivalent of one full-time staff person (FTE) for each 50 to 150 FDCHs it sponsors to perform monitoring. Factors such as the size of the area covered by the sponsor, travel time, etc., will be taken into consideration when evaluating the monitoring FTE to homes ratio. The management plan submitted by the SO must clearly describe the monitoring-related duties of each person on the sponsor's staff and the number of hours or percentage of time the sponsor estimates that each staff member will spend on monitoring duties.

The monitoring duties must be legitimate monitoring activities to count toward meeting the ratio, which includes:

- Planning and scheduling reviews.
- Preparation and review of files before conducting a review.
- Travel for monitoring purposes.
- Conducting the actual review.
- Technical assistance related to review findings.
- Follow-up activities, including review of corrective action and closure of the review.
- Writing the review report.
- Supervisory review of monitoring.
- Training of monitors.
- Appeals related to review findings.

Specific duties that do not count as monitoring activities include:

- Monthly claims edit checks or menu reviews.
- Processing payments.
- Reviewing provider applications and executing agreements with providers.
- Required annual training of providers, even if conducted during a home/center review.
- Outreach or recruitment.
- Non-monitoring related supervision and administration.
- Appeals that are not related to review findings.
- Non-CACFP training and monitoring activities. For example, if a sponsor that is a resource and referral agency provides early childhood training to a provider or conducts an accreditation review, these are not CACFP monitoring activities.

## Hiring Home Providers

A sponsoring organization (SO) may employ a family day care home (FDCH) or group home provider as a contracted staff member. To contract with a home provider, the following criteria must be met:

- The SO must have a current SO agreement between the sponsor and the contracting home provider. The SO may not contract with a home provider who has entered into a sponsoring agreement with another sponsor or is employed by a different SO.
- The contracted home provider's activity must be limited to training. Home providers participating in the Child and Adult Care Food Program (CACFP) may not perform monitoring or recruiting responsibilities for any SO.
- The SO must have specific prior written approval from the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA) to hire a home provider. A copy of the contract must be submitted with the request for approval.
- The SO must include in the current management plan the use of the provider as a contractor. A revised plan may be submitted if necessary. This plan should describe how the sponsor will ensure the contractor's objectivity in training other providers and how the sponsor will verify that the contracted provider maintains program standards.
- The SO must verify that the contracted provider meets licensing or Department of Social Services (DSS) requirements.
- The SO must notify the appropriate licensing or DSS representatives about contractual arrangements with the provider.

## Payments to Sponsor's Employees

Sponsoring organizations (SO) may not pay any individual, provider, employee, or contractor based on the number of homes recruited. This restriction extends to incentive payments as well as to regular compensation. Compensation may take the form of salaries, hourly wages, or piece work (i.e., payment for a specific work function) and noncash compensation that is charged as a cost to the Child and Adult Care Food Program (CACFP) (e.g., offering employees additional paid vacation based on the number of homes recruited).

Inherent in the recruitment of new homes is an increase in participation. Therefore, compensation systems may not substitute increased participation as a measure by meals, children, or providers as a basis for either regular compensation or incentive payments. Sponsors may use the number of homes recruited to determine whether an employee is performing as expected.

# Training Providers and Monitors

## Training of Providers

Sponsoring organizations (SO) must train home providers when they initially enroll in the program and annually thereafter. Key staff from the family day care homes (FDCHs) and group homes must attend the training. In general, key staff would include the home provider. However, the key staff shall include assistants or backup providers in larger group homes or homes providing shift care.

Training documentation must include session dates, locations, topics, and names of participants. Training funded by the Child and Adult Care Food Program (CACFP) must be directly related to the CACFP.

The following are recommended training and the minimum training requirements for new and participating providers outlined in federal regulations for training.

Recommended Training for New Providers	Required Annual Training for New and Participating Providers	Recommended Annual Training
<ul style="list-style-type: none"> <li>• Program Requirements</li> <li>• Policies</li> <li>• Regulations</li> <li>• Sponsoring Organization Agreement</li> <li>• Recordkeeping</li> <li>• Food Safety and Sanitation</li> <li>• Creditable Foods</li> <li>• Menu Planning</li> <li>• Appeal Procedures</li> <li>• Licensing</li> <li>• CACFP Integrity and Performance Standards</li> <li>• Seriously Deficient Process</li> <li>• Termination and Disqualification</li> <li>• Civil Rights</li> </ul>	<ul style="list-style-type: none"> <li>• CACFP Meal Pattern Requirements</li> <li>• Menus – planning, purchasing, food preparation</li> <li>• Types of Meal Service</li> <li>• Recordkeeping Requirements</li> <li>• Meal Counting Procedures</li> <li>• Creditable Foods</li> <li>• The Reimbursement Process</li> <li>• Claims Submission</li> <li>• CACFP Integrity and Performance Standards</li> <li>• Seriously Deficient Process</li> <li>• Termination and Disqualification</li> <li>• Civil Rights</li> </ul>	<ul style="list-style-type: none"> <li>• Monitoring Reviews</li> <li>• Nutrition</li> <li>• Nutrition Education</li> <li>• Menu Planning</li> <li>• Nutrition Learning Experiences</li> <li>• Food Safety and Sanitation</li> <li>• Food Service Management (planning, purchasing, preparation, hiring, and supervision of staff, etc.)</li> </ul>

## Recommended Training for New Providers

The training must be provided face-to-face with the new provider. Documentation must be on file to verify that preapproval training was conducted for all providers on these topics.

## Required Annual Training for New and Participating Providers

Annual training may be conducted face-to-face or through online or self-paced training modules. **All training** must be documented and maintained in the provider's files. Training documentation must include a post-test and benchmarks for online or self-paced training.

## **Recommended Annual Training**

Sponsors are not required to provide this training. Providers may choose to obtain training on these topics from other sources.

Note: The DHSS-CFNA is not responsible for this training, but will offer technical assistance to the SO. DHSS-CFNA staff will not participate as trainers for the SO.

Sponsors are required to offer annual training to providers. Providers and key staff are required to attend sponsor-offered training. The sponsor/provider agreement must specify that the sponsor will provide annual training and that the provider must attend the training. Failure of an SO to provide annual training and failure of a home provider and key staff to participate in the training is a serious deficiency.

## **Training for Sponsor Monitors**

Federal regulations also require SOs to train sponsor monitors when initially hired to conduct monitoring visits and annually thereafter. A sponsor monitor is any person, either employed, volunteering, or under contract with the SO, who conducts on-site reviews of FDCHs and group homes or reviews monthly records submitted by the home to support the claim for reimbursement.

Required training topics for sponsor monitors are the same as those required for home providers and key staff. In addition to the required topics, SOs are strongly encouraged to provide training on nutrition, nutrition education, the home monitoring process, food safety, and sanitation. All training provided to sponsor monitors must be documented and will be reviewed at all DHSS-CFNA SO audits. Failure of a SO to properly train all sponsor monitors is a serious deficiency.

# Civil Rights Compliance and Other Requirements

## Data Collection

The Child and Adult Care Food Program (CACFP) must ensure that program benefits are made available to all eligible individuals without regard to race, color, age, sex, disability, or national origin.

All institutions participating in the Child and Adult Care Food Program (CACFP) are required to comply with the following civil rights obligations and to provide information as follows:

- **Collection of Ethnicity and Race Data:** The sponsoring organization (SO) is required to determine the number of potentially eligible children by racial/ethnic category for the area served by the organization annually. The sources for this data may include census data or public school enrollment.

Actual beneficiary data by racial/ethnic category for each family day care home (FDCH) or group home under an SO's jurisdiction shall be collected by the SO each year and compiled into one summary. To fulfill this requirement, the home provider may collect the civil rights information regarding children on an ongoing basis on the child enrollment form, or it may be done annually through another process.

Visual observation and identification are not allowable practices to use to collect the data. The preferred method is self-identification and self-reporting. CACFP home providers should explain the importance of this data to participants as they encourage them to self-identify and self-report. Voluntary questions on ethnicity and race are included in the [Income Eligibility Form for Child Care Centers \(CACFP-205\)](#), the [Child Care Enrollment Form \(MO 500-3317\)](#), and the [CACFP Enrollment Form for Child Care Centers \(CACFP-229\)](#), which are all available at [www.health.mo.gov/cacfp](http://www.health.mo.gov/cacfp) under "Forms."

- **Compile the Ethnic and Racial Data on the Beneficiary Data Report [580-2464 \(8-2022\) BENEFICIARY DATA REPORT \(mo.gov\)](#).** Once a year SOs must compile the ethnic and racial data completed by the participant or guardian into this report. This information must be compared to the estimated number of potential participants by racial/ethnic category for that target area. The SO must keep this information on file.

**SOs must display the "And Justice For All" poster** in a prominent location (visible to the public). Please contact our office for additional posters.

**Annual Civil Rights training is required for all CACFP SO and home provider staff.** Online training is available on our website at [www.health.mo.gov/cacfp](http://www.health.mo.gov/cacfp).

**USDA nondiscrimination statement and civil rights complaint information are required on program material directed to the parents or guardians.** If the home has a parent handbook or a policy booklet that indicates that the home is participating in the CACFP, the nondiscrimination statement and procedure for filing a complaint must be included and is available at [www.health.mo.gov/cacfp](http://www.health.mo.gov/cacfp) - USDA Nondiscrimination Statement.

**Discrimination Complaint Filing.** The USDA prohibits discrimination in Child Nutrition Programs (CNPs) based on: race, color, national origin, age, sex (including gender identity and sexual orientation), disability, and religion. If you believe you experienced discrimination when participating in a USDA program, you may file a complaint. Civil rights complaint filing information is located at <https://www.usda.gov/oascr/complaintresolution>

Forward complaints of alleged discrimination to the Department of Health and Senior Services-Community Food and Nutrition Assistance (DHSS-CFNA). All complaints of discrimination, written or verbal, including anonymous complaints, must be forwarded to the DHSS-CFNA within four days of receipt. The toll-free number is 800-733-6251.

Be sure to provide all available information and details, including:

- Name, address, and telephone number or other means of contacting the complainant.
- The specific location and name of the entity delivering the service or benefit.

- The nature of the incident or action that led the complainant to feel discrimination was a factor or an example of the method of administration that is having a disparate effect on the public, potential participants, or participants.
- The basis on which the complainant feels discrimination exists.
- The names, titles, and business addresses of persons who may have knowledge of the discriminatory action.
- The date during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions.

**All FDCHs and group homes must display the “*Building for the Future*” flyer in a prominent location or provide access to the “*Building for the Future*” pamphlet.** This pamphlet explains the CACFP, who is eligible, the kinds of meals served, and the types of facilities that serve the meals. Both are available at [www.health.mo.gov/cacfp](http://www.health.mo.gov/cacfp) under the Posters, Flyers, & Pamphlets link.

**All FDCHs and group homes must provide WIC Program Information.** Missouri WIC outreach posters are available to print and display in your FDCHs to share the benefits of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) with parents and guardians. The posters are located at [www.health.mo.gov/cacfp](http://www.health.mo.gov/cacfp) under the Posters, Flyers, & Pamphlets link.





**BENEFICIARY DATA REPORT**

A Beneficiary Data Report must be completed once a year to report the ethnic and racial category of participants enrolled in your center. This data is collected via the Enrollment Form or Outreach and Beneficiary Survey completed by the parent/participant. Completion of the data by the parent/participant is voluntary and failure to report will not impact eligibility for meals. A parent/participant may check one or more racial category. Ethnicity and race data must be self-identified and self-reported or reported by a parent/guardian.

NAME OF CENTER/FACILITY

ADDRESS

Ethnic Category	Number of Participants
<b>Hispanic or Latino</b> – A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.	
Racial Category	Number of Participants
<b>American Indian or Alaskan Native</b> – A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.	
<b>Asian</b> – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.	
<b>Black or African American</b> – A person having origins in any of the black racial groups of Africa.	
<b>Native Hawaiian or Other Pacific Islander</b> – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.	
<b>White</b> – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.	
<b>Undeclared</b> – No ethnic or racial category self-identified or self-reported by participant/parent.	
<b>Total Number of Participants</b>	
SIGNATURE OF CENTER REPRESENTATIVE  ▶	DATE

