

	MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES CHILD AND ADULT CARE FOOD PROGRAM	ISSUED	REVISED	CHAPTER	SECTION
	Sponsoring Organizations of Homes POLICY & PROCEDURE MANUAL	12/90	6/14	1	1.5
CHAPTER Chapter 1. Program Overview		SUBJECT Definitions			

“Administrative costs” means costs incurred by an institution related to planning, organizing, and managing a food service under the Program, and allowed by the State agency financial management instruction. These administrative costs may include administrative expenses associated with outreach and recruitment of unlicensed family or group child care homes and the allowable licensing-related expenses of such homes.

“Administrative review” means the fair hearing that is provided upon request to; a) an institution that has been given notice by the State agency of any action or proposed action that will affect their participation or reimbursement under the Program, in accordance with 226.6(k); b) a principal or individual responsible for an institution’s serious deficiency after the responsible principal or responsible individual has been given notice of intent to disqualify them from the Program; and, c) a child care home that has been given notice of proposed termination for cause.

“Administrative review official” means the independent and impartial official who conducts the administrative review held in accordance with 226.6(k).

“Advance payments” means financial assistance made available to an institution for its Program costs prior to the month in which such costs will be incurred.

“Block claim” means a claim for reimbursement submitted by a facility on which the number of meals claimed for one or more meal type (breakfast, lunch, snack or supper) is identical for 15 consecutive days within a claiming period.

“Child care center” means any public or private nonprofit organization, or any for-profit Title XX center as defined in this section (“Proprietary Title XX center”), licensed or approved to provide nonresidential child care services to enrolled children, primarily of preschool age, including, but not limited to day care centers, settlement houses, neighborhood centers, Head Start centers and organizations providing day care services for disabled children. Child care centers may participate in the Program as independent centers or under the auspices of a sponsoring organization.

“Child care facility” means a licensed or approved child care center, day care home, or outside-school-hours care center under the auspices of a sponsoring organization.

“Children” means (a) persons 12 years of age and under, (b) children of migrant workers 15 years of age and under, and (c) mentally or physically disabled persons, as defined by the State, enrolled in an institution or a child care facility serving a majority of persons 18 years of age and under.

“Current income” means income received during the month prior to application for free or reduced-price meals. If such income does not accurately reflect the household’s annual income, income shall be based on the projected annual household income. If the prior year’s income provides an accurate reflection of the household’s current annual income, the prior year may be used as a basis for the projected annual income.

“Day care home or child care home” means an organized nonresidential child care program for children enrolled in a private home, licensed or approved as a family or group day care home under the auspices of a sponsoring organization. Day care must be conducted in a private residence.

“Days” means calendar days unless otherwise specified.

“Department” means the U.S. Department of Agriculture.

“Disabled person” is defined as any person who has “a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. (FNS Instruction 783-2, exhibit A, 7CFR 15b.3)

“Disqualified” means the status of an institution, a responsible principal or responsible individual, or a day care home that is ineligible for participation.

“Enrolled child” means a child whose parent or guardian has submitted to a child care facility a signed document which indicates that the child is enrolled for child care; who is present in the day care home for the purpose of child care; and who has eaten at least one meal during the claiming period.

“Expansion payments” means financial assistance made available to a sponsoring organization for its administrative expenses associated with expanding a food service program to child care homes located in low-income or rural areas. These expansion payments may include administrative expenses associated with outreach and recruitment of unlicensed family or group child care homes and the allowable licensing-related expenses of such homes.

“Facility” means a sponsored center or a family child care home.

“Family” means a group of related or nonrelated individuals, who are not residents of an institution or boarding house, but who are living as one economic unit, sharing housing and all significant income.

“Federal Fiscal year” means a period of 12 calendar months beginning October 1 of any year and ending with September 30 of the following year.

“Food Service Management Company” means an organization other than a public or private non-profit school with which an institution may contract for preparing and, unless otherwise provided for, delivering meals, with or without milk, for use in the Program.

“Food Stamp household”

see definition for Supplemental Nutrition Assistance Program (SNAP).

“Free meal” means a meal served under the Program to a child from a family which meets the income standards for free school meals and for which neither the child nor any member of his family pays or is required to work in the food service program.

“Household” means “family” as defined under the definition of family.

“Household contact” means a contact made by a sponsoring organization or a State agency to an adult member of a household with a child in a family day care home in order to verify the attendance and enrollment of the child and the specific meal service(s) which the child routinely receives while in care.

“Income standards” means the family-size and income standards prescribed annually for determining eligibility for free and reduced-price meals under the National School Lunch Program and the School Breakfast Program.

“Income to the Program” means any funds used in an institution’s food service program, including, but not limited to all monies, other than Program payments, received from other Federal, State, intermediate, or local government sources; payment for children’s meals and food service fees; income from any food sales to adults; and other income, including grants from organizations or cash donations from individuals.

“Independent center” means a child care center or outside-school-hours center which enters into an agreement with the State agency to assume final administrative and financial responsibility for Program operations.

“Infant cereal” means any iron-fortified dry cereal specially formulated for and generally recognized as cereal for infants that is routinely mixed with iron fortified formula or breast milk prior to consumption. Infant cereals must be fortified to the level of 45% of the Daily Value for iron as indicated by the manufacturer’s nutrition label.

“Infant formula” means any iron-fortified infant formula, intended for dietary use as a source of food for normal, healthy infants served in liquid state at manufacturer’s recommended dilution.

“Institution” means a sponsoring organization, child care center, outside-school-hours care center, or adult day care center which enters into an agreement with the State agency to assume final administrative and financial responsibility for Program operations.

“Internal controls” means the policies, procedures, and organizational structure of an institution designed to reasonably assure that (a) the Program achieves its intended result; (b) Program resources are used in a manner that protects against fraud, abuse, and mismanagement and in accordance with law, regulations, and guidance; and (c) timely and reliable Program information is obtained maintained, reported, and used for decision making.

“Low-income area” means a geographical area in which at least 50 percent of the children are eligible for free or reduced price school meals under the National School Lunch Program and the School Breakfast Program, as determined in accordance with paragraphs (b) and (c), definition of a tier I family child care home.

“Meals” means food which is served as snacks, breakfast, lunch or supper to enrolled children at an institution or child care facility and which meets the nutritional requirements of the Program.

“Milk” means pasteurized fluid types of unflavored or flavored whole milk, low fat milk, skim milk, or cultured buttermilk which meet State and local standards for such milk, except that, in the meal pattern for infants (0 to 1 year of age), milk means breast milk or iron-fortified infant formula. All milk should contain vitamins A and D at levels specified by the Food and Drug Administration and be consistent with State and local standards for such milk.

“National disqualified list” means the list, maintained by the Department, of institutions, responsible principals and responsible individuals, and family child care homes disqualified from participation in the Program.

“New institution” means an institution applying to participate in the Program for the first time, or an institution applying to participate in the Program after a lapse in participation.

“Nonpricing program” means an institution in which there is no separate identifiable charge made for meals served to enrolled children.

“Nonprofit food service” means all food service operations conducted by the institution principally for the benefit of enrolled children, for which all of the Program reimbursement funds are used solely for operation or improvement of such food service.

“Nonresidential” means that the same children are not maintained in care for more than 24 hours on a regular basis.

“Notice” means a letter sent by certified mail, return receipt (or the equivalent private delivery service), by facsimile, or by email, that describes an action proposed or taken by a State agency or FNS with regard to an institution’s Program reimbursement or participation. Notice also means a letter sent by certified mail, return receipt (or the equivalent private delivery service), by facsimile, or by email, that describes an action proposed or taken by a sponsoring organization with regard to a day care home’s participation. The notice must specify the action being proposed or taken and the basis for the action, and is considered to be received by the institution or day care home when it is delivered, sent by facsimile, or sent by email. If the notice is undeliverable, it is considered to be received by the institution, responsible principal or responsible individual, or day care home five days after being sent to the addressee’s last known mailing address, facsimile number, or email address.

“Operating costs” means expenses incurred by an institution in serving meals to children under the Program, and allowed by the State agency financial management instruction.

“Outside-school-hours care center” means a public or private nonprofit organization or a for-profit Title XX center, as defined in these definitions, licensed or approved to provide organized nonresidential child care services to enrolled children outside of school hours. Outside-school-hours care centers may participate in the Program as independent centers or under the auspices of a sponsoring organization.

“Participants” means children or adult participants as defined in this section.

“Pricing program” means an institution in which a separate identifiable charge is made for meals served to enrolled children.

“Principal” means any individual who holds a management position within, or is an officer of, an institution or sponsored center, including all members of the institution’s board of directors or the sponsored center’s board of directors.

“Program” means the Child and Adult Care Food Program authorized by Section 17 of the National School Lunch Act, as amended.

“Program payments” means financial assistance in any form of start-up payments, expansion payments, advance payments, or reimbursement paid or payable to institutions for operating costs and administrative costs.

“Proprietary Title XX center” means any private, for-profit child care center: (a) providing nonresidential day care services for which it receives compensation from amounts granted to the States under Title XX of the Social Security Act and (b) in which Title XX beneficiaries were at least 25% enrolled children or 25% of their licensed capacity, whichever is less, during the calendar month preceding initial application or annual re-application for Program participants or during any month for which reimbursement is claimed.

“Provider’s own child” means a residential child in the household who is part of the economic unit.

“Reimbursement” means Federal financial assistance paid or payable to institutions for Program costs within the rates assigned by the State agency.

“Responsible principal or responsible individual” means a) a principal, whether compensated or uncompensated, who the State agency or FNS determines to be responsible for an institution’s serious deficiency; b) any other individual employed by, or under contract with, an institution or sponsored center, who the State agency or FNS determines is responsible for an institution’s serious deficiency; or, c) an uncompensated individual who the State agency or FNS determines to be responsible for an institution’s serious deficiency.

“School year” means a period of 12 calendar months beginning July 1 of any year and ending June 30 of the following year.

“Seriously deficient” means the status of an institution or a day care home that has been determined to be non-compliant in one or more aspects of its operation of the Program.

“Shift care” is the term used to describe caring for children during different time periods during the day. For example, a provider that cares for 10 children between 7:30-2:30 and a different group of children from 2:30-5:00 after the first group goes home is providing shift care.

“Sponsoring organization” means a public or nonprofit private organization which is entirely responsible for the administration of CACFP in (a) one or more family day care homes; (b) two or more child care centers or outside-school-hours care centers which are a legally distinct entity from the sponsoring organization; (c) two or more child care centers or outside-school-hours centers; or (d) any combination of child care centers, day care homes and outside-school-hours care centers. The term “sponsoring organization” also includes a for-profit organization which is entirely responsible for administration of the Program in any combination of two or more centers and outside-school-hours care centers which are part of the same legal entity as the sponsoring organization, and which are for-profit Title XX centers.

“Start-up payments” means financial assistance made available to a sponsoring organization for its administrative expenses associated with developing or expanding a food service program in family child care homes and initiating successful Program operations. These start-up payments may include administrative expenses associated with outreach and recruitment of unlicensed family or group child care homes and the allowable licensing-related expenses of such homes.

“State agency” means the Missouri Department of Health and Senior Services – Bureau of Community Food and Nutrition Assistance that has been designated by the Governor or other appropriate executive, or

by the legislative authority of the State, and has been approved by the Department to administer the Program within the State or in states in which USDA FNS administers the Program.

“State agency list” means an actual paper or electronic list or the retrievable paper records, maintained by the State agency, that include a synopsis of information concerning seriously deficient institutions and providers terminated for cause in the State. The list must be made available to FNS upon request, and must include the following information: a) institutions determined to be seriously deficient by the State agency, including the names and mailing addresses of the institutions, the basis for each serious deficiency determination, and the status of the institutions as they move through the possible subsequent stages of corrective action, proposed termination, suspension, agreement termination, and/or disqualification, as applicable; b) responsible principals and responsible individuals who have been disqualified from participation by the State agency, including their names, mailing addresses and dates of birth; and, c) child care home providers whose agreements have been terminated for cause by a sponsoring organization in the State, including their names, mailing addresses, and dates of birth.

“Supplemental Nutrition Assistance Program (SNAP) household” means any individual or group of individuals who are currently certified to receive assistance as a household under the SNAP formerly known as the Food Stamp Program.

“Suspended” means the status of an institution or day care home that is temporarily ineligible for participation (including Program payments).

“Suspension review” means the review provided, upon the institution’s request, to an institution that has been given a notice of intent to suspend participation (including Program payments), based on a determination that the institution has knowingly submitted a false or fraudulent claim.

“Suspension review official” means the independent and impartial official who conducts the suspension review.

“TANF recipient” means an individual or household receiving assistance (as defined in 45 CFR 260.31) under a State-administered Temporary Assistance to Needy Families program.

“Termination for cause” means the termination of a day care home’s Program agreement by the sponsoring organization due to the day care home’s violation of the agreement.

“Termination for convenience” means termination of a day care home’s Program agreement by either the sponsoring organization or the day care home, due to considerations unrelated to either party’s performance of Program responsibilities under the agreement.

“Tier I day care home” means (a) a day care home that is operated by a provider whose household meets the income standard for free or reduced-price meals, as determined by the sponsoring organization based on a completed free and reduced price application, and whose income is verified by the sponsoring organization of the home in accordance with 7 CFR 226.23(h)(6); (b) a day care home that is located in an area served by a school enrolling elementary students in which at least 50 percent of the total number of children enrolled are certified eligible to receive free or reduced price meals, or (c) a day care home that is located in a geographic area, as defined by FNS based on census data, in which at least 50 percent of the children residing in the area are members of households which meet the income standards for free or reduced price meals.

“Tier II day care home” means a day care home that does not meet the criteria for a Tier I day care home.

“Unannounced review” means an on-site review for which no prior notification is given to the facility or institution.

“Yogurt” means commercially coagulated milk products obtained by the fermentation of specific bacteria, that meet milk fat or milk solid requirements to which flavoring foods or ingredients may be added. These foods are covered by the Food and Drug Administration’s Standard of Identity for yogurt, lowfat yogurt, and nonfat yogurt.