State Agency Monitoring of the Child and Adult Care Food Program Federal Fiscal Year 2021[1]

Off-site Monitoring During the COVID-19 Public Health Emergency
Issued November 2020

During the current public health emergency State agencies may forgo on-site monitoring and instead review Program operations of institutions off-site (e.g., through a desk audit). COVID-19: Child Nutrition Response #40: Nationwide Waiver of Onsite Monitoring Requirements For State Agencies in the Child and Adult Care Food Program, in effect until September 30, 2021, allows State agencies to complete Child and Adult Care Food Program (CACFP) monitoring requirements off-site. Please note the flexibilities included in COVID-19: Child Nutrition Response #20 were effective through September 30, 2020. Once expired, State agencies are expected to transition back to meeting review requirements around number and frequency of CACFP reviews outlined in Federal statute and regulations unless granted an individual State agency waiver.

Off-site Monitoring Strategies

When conducting off-site reviews, State agencies should review all elements of Program operations that they would normally review while on-site to the best of their ability. This includes all the review elements found at 7 CFR 226.6(m)(3)-(5). The required review elements can be completed off-site by reviewing documents, electronic systems, or by using other means of technology. Off-site, State agencies should review and verify records that have been texted, emailed, mailed, faxed, or delivered to the State agency, or through virtual observation, by using live or recorded video. In situations where direct observation normally occurs, State agencies should review and verify records by observing photos and/or live or recorded videos. State agencies may also conduct interviews with institution staff and Program participants to verify information in photos via telephone or video conference. Unannounced reviews can be completed during an unscheduled phone or video call. Strategies for reviewing elements off-site include, but are not limited to:

- ✓ **Recordkeeping** – evaluate that records are available and that they support the institution's claim for reimbursement.
- ✓ **Application** – review the program agreement and the current year's application and supporting documents.
- ✓ **Enrollment Records** – review enrollment records to verify participant information and annual documentation information has been updated.
- ✓ **Attendance Records** – review daily attendance records.

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[1] The content of this document does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity regarding existing requirements.

- ✓ **Free or Reduced-Price Meal Applications** –verify that there are meal applications for children claimed for free or reduced-price meals. Review applications to verify the institution has correctly determined and classified the eligibility of enrolled participants for free or reduced price meals or, for Family Day Care homes, for tier I and tier II reimbursement.
- ✓ **Area Eligibility Data** – for at-risk after school centers, review the appropriate school data to verify that the institution or facility is eligible.
- ✓ **Meal Service Records** – review menu records, medical statements, production records, and inventory records.
- ✓ **Training and Monitoring Records** – review training records to verify the institution has provided adequate training to its staff and facilities. Verify the training session date(s), location(s), and the names of participants; and that all required training topics were covered.
- ✓ **Financial Management Records** – review invoices, receipts or other records required by the State agency, claims for reimbursement, documentation of nonprofit food service, and accounting systems to verify all financial information.
- ✓ **CACFP Operating and Administrative Costs** – review all transactions and the institution's approved budget to ensure all expenses are approved.
- ✓ **Household Contact System** – review household contact records to verify that the institution is correctly implementing the household contact systems established by the State agency.
- ✓ **Implementation of the Serious Deficiency Process** – review and evaluate records of facility reviews conducted by the sponsoring organization to confirm that the serious deficiency process is being implemented when there is evidence that a provider has committed one or more serious deficiencies.
- ✓ **All Other Program Requirements** – review any other applicable records to ensure that all institutions and facilities being reviewed are in compliance with all other regulatory requirements
- ✓ **Licensing** – review a photo of the center or family day care home's license to verify it is current and posted in a public place. Ensure via photos and/or video that the center or family day care home does not have more children or adults in care than stated in the license.
- ✓ **Health, Safety, and Sanitation** – as appropriate, review photos and/or video of food production permit, health inspection report, food storage, food handling, and sanitation. If technology permits, conduct a live video tour of the center or facility.
- ✓ **Posters** – verify via photos and/or video that the "And Justice for All" poster is displayed and WIC information is provided (as applicable).
- ✓ **Meal Service Observation** – review via photos and/or video compliance with the meal pattern (photos of table/tray/plate), meal service times (time-stamped photos or photo of clock), menus (match with posted menu), and that meal counts are taken at the time of service (photos or video of count being taken). Photos and/or videos must adequately capture all of the necessary information to adequately observe a complete meal service.

When using technology such as video or photos, State agencies should follow any Federal and State laws related to technology use and privacy. Information that contains Personally Identifiable Information (PII), such as applications or benefit status, should be protected. Information shared by program operators should be password protected or sent via other secure methods to ensure privacy.

In some cases it may be appropriate for the State agency to review a sample of the documentation listed above. For example, if a State agency is unable to obtain 100 percent of enrollment forms from the sponsor, the State agency may choose to review a sample instead. When selecting a sample, State agencies may use a statistically valid random sample, select to review a percentage of documents, institute into their review process a minimum and maximum number of documents to review, or another process developed by the State agency. When selecting a sampling method and reviewing a sample of documents, State agencies should ensure they are still able to assess compliance with Program requirements, document the sampling method used, and be able to explain its rationale during a Management Evaluation.

State agencies should record details to thoroughly document off-site monitoring, including, but not limited to:

- The time and date the review was conducted;
- Names and contact information of institution or facility staff interacted with virtually; and
- Any technical assistance the State agency provided.

If any of the required review elements cannot be fully completed within the required review time frame, State agencies may request additional waivers of statute or Program regulations to ensure compliance with oversight responsibilities. If submitting a waiver, State agencies must use the process described in Child Nutrition Program Waiver Request Guidance and Protocol- Revised, and are strongly encouraged to use the template provided with this guidance.