

# Monthly Update

## Child & Adult Care Food Program



June 15, 2022

*Distributed to CACFP Authorized Representatives and Home Sponsors via Listserv*

*As posted to [www.kn-eat.org](http://www.kn-eat.org), Child and Adult Care Food Program, Updates from CNW*

### **Virtual Roundtable for Parents and Caregivers on the Infant Formula Shortage**

Join a virtual roundtable on Wednesday, June 15 at 5:00 pm CST with the US Department of Health and Human Services and USDA for parents and caregivers to learn more about the shortage, and what families who are struggling to find formula can do. Please RSVP [here](#).

President Biden has directed his Administration to work urgently to ensure that during the Abbott Nutrition voluntary recall, infant formula is safe and available for families across the country. For tools and resources to help families find formula, go to [www.hhs.gov/formula](http://www.hhs.gov/formula).

### **Multilingual Infant Formula Resources**

Multilingual Infant Formula Resources and an [Infant Formula Resources Multilingual Social Media Toolkit](#) (English, Spanish, Haitian Creole and Vietnamese) with additional graphics and sample social copy are available at these resource pages:

- English: <https://www.hhs.gov/formula/index.html>
- Spanish: <https://www.hhs.gov/es/formula/index.html>
- Haitian Creole: <https://www.hhs.gov/ht/formula/index.html>
- Vietnamese: <https://www.hhs.gov/vi/formula/index.html>

### **New USDA Guidance**

#### **Questions and Answers Related to CACFP 11-2021, SFSP 07-2021 Collection of Race and Ethnicity Data by Visual Observation and Identification in the Child and Adult Care Food Program and Summer Food Service Program – Policy Rescission – CACFP 09-2022**

The Food and Nutrition Service (FNS), Child Nutrition Programs (CNP), and the Civil Rights Division (CRD), are issuing this memorandum to provide clarification on questions related to *CACFP 11-2021, SFSP 07-2021 Collection of Race and Ethnicity Data by Visual Observation and Identification in the Child and Adult Care Food Program and Summer Food Service Program – Policy Rescission Memorandum*, published on May 17, 2021.

**CACFP 11-2021** states visual observation and identification by Child and Adult Food Care Program institutions and facilities is no longer an allowable practice for program operators to use during the collection of race or ethnicity data. USDA acknowledges the challenges this change may cause in the collection of demographic data. The preferred method remains self-identification and self-reporting. CACFP institutions and facilities should continue explaining the importance of this data to participants as they encourage them to self-identify and self-report. However, there are alternative means by which CACFP institutions and facilities can obtain race or ethnicity data such as utilizing data from other sources in which the respondent has self-identified race or ethnicity such as school databases.



Data can be accessed for Kansas schools at [https://datacentral.ksde.org/report\\_gen.aspx](https://datacentral.ksde.org/report_gen.aspx), Headcount Enrollment by Grade, Race & Gender. Data is also available through FRAC at this web address: <http://216.55.168.186/FairData/SummerFood/map.asp?command=scope&map=0>.

## Questions and Answers

### 1. What is the purpose of the requirement to collect racial and ethnic data?

The purpose of this requirement is to determine how effectively FNS programs are reaching potential eligible persons and beneficiaries. State agencies and FNS Regional Offices can use the data during program monitoring reviews, applications for Federal financial assistance, and routine Civil Rights compliance reviews to identify areas where additional outreach is needed, determine any barriers to access, and assess the institution's and sponsor's compliance. This data is also used to analyze the impact of policy changes (during the Civil Rights Impact Analysis process) on participants and for investigating program discrimination complaints. Please see FNS 113-1, *Civil Rights Compliance and Enforcement – Nutrition Programs and Activities* for complete information on the collection, maintenance, and use of racial and ethnic data.

### 2. How does *CACFP 11-2021, SFSP 07-2021, Collection of Race and Ethnicity Data by Visual Observation and Identification in the Child and Adult Care Food Program and Summer Food Service Program – Policy Rescission* affect the collection of race and ethnic data?

The memorandum removes visual identification as an option for collecting participant racial and ethnic data. This means that State agencies and program operators may not collect racial or ethnic data simply by looking at participants. Instead, State agencies and program operators should use methods that are based on self-identification and self-reporting. A best practice for this would be obtaining the information from parents or guardians or adult participants.

### 3. To what programs does the policy change apply?

The policy change applies only to CACFP and SFSP, as these were the two programs covered by the policy memorandum that was rescinded. It is expected to mainly affect programs where participant enrollment is not required, such as SFSP open sites or walk-in CACFP afterschool programs, when race and ethnic data cannot be obtained on free and reduced-price meals applications.

### 4. Is this policy change effective immediately?

Yes, the removal of visual observation and identification as an allowable practice in obtaining racial and ethnic data in the CACFP and SFSP is effective immediately. As of May 17, 2021, the date that CACFP 11-2021, SFSP 07-2021 was published, visual observation and identification is no longer an allowable practice for CACFP and SFSP operators and State agencies to use during the collection of racial or ethnic data.

### 5. Is there a grace period during which program operators that have used visual identification in the past can develop other data collection methods?

Yes. While the requirement to end the practice of visual identification was effective as of May 17, 2021, FNS is providing a grace period for CACFP and SFSP program operators and State agencies to develop other data collection methods. FNS recognizes that it will take some time for State agencies and program operators to develop methods and gather data from alternative sources, as discussed below, such as utilizing data from alternative sources in which the respondent has self-identified race or ethnicity, including school databases, when the respondent does not self-identify. As a result, there will be a grace period to develop methods to gather racial and ethnic data not provided via self-identification from alternative sources, as follows:

Grace period (applies to both SFSP and CACFP): May 17, 2021, through December 31, 2022.



As noted above, State agencies and program operators must end the practice of visual identification immediately. During the grace period, program operators will not receive a finding of non-compliance during reviews; however, it will be noted as an observation and may become a finding if alternative means are not implemented before the end of the established grace period. By January 1, 2023, program operators must have alternative means to capture the data or they may be issued a finding of non-compliance on their next review. However, after the end of the grace period, program operators may continue to report aggregate data as a substitute for individual data in instances in which the program operator attempts to collect the data, but no participants provide the information.

**6. What parameters has FNS established for collecting data from parents or guardians?**

Obtaining data from parents or guardians is the preferred method of data collection, as parents or guardians can provide accurate information. Adult participants and parents and guardians may be asked to identify the racial or ethnic group of the participant only after it has been explained, and they understand, that providing the information is to ensure compliance with USDA nondiscrimination requirements only and that failure to report the information will not impact the participant's eligibility for meals. Program operators of sites that do not require enrollment (non-enrolled sites) should choose data collection methods that are easy for adult participants or parents and guardians to use. For the purposes of this requirement, adult participants and parents and guardians of children attending non-enrolled sites are not required to provide the participant's name. Additionally, adult participants and parents and guardians must not be required to fill out a free or reduced-price meal application for non-enrolled program.

**7. May program operators of sites that do not require enrollment obtain racial and ethnic data verbally by asking participants or their parents or guardians?**

FNS recognizes that options for obtaining racial and ethnic data at sites that do not require enrollment (non-enrolled sites) are limited. Requesting data verbally is allowable. However, FNS understands that requesting information verbally may be uncomfortable for staff and for participants. Respect for individual dignity should guide the processes and methods for collecting data on race and ethnicity; ideally, respondent self-identification should be facilitated to the greatest extent possible. Program applicants and participants should be encouraged to provide the information by explaining the use of the data is to ensure compliance with USDA nondiscrimination requirements only and that sharing the information is voluntary and will not impact a participant's eligibility for meals. FNS discourages asking a child to self-identify their race and ethnicity, as this practice may be confusing to young children. If verbal identification is used, FNS strongly recommends only asking adults.

**8. How often must data for sites that do not require enrollment be collected?**

FNS 113-1, *Civil Rights Compliance and Enforcement – Nutrition Programs and Activities* requires program operators to collect data yearly. This applies to both enrolled and non-enrolled programs.

**9. What should program operators do if they are unable to obtain racial and ethnic data for all participants? What if this causes a mismatch between the data and the number of participants at a meal service site?**

Providing racial and ethnic data is voluntary. If a program operator is unable to collect a participant's information, their response may be marked "unknown". For that reason, FNS does not expect that the number of respondents will equal the number of children at a meal service site. However, FNS does expect program operators to continue to try to capture the data.



**10. The memorandum indicated that school databases may be used as an alternative source of racial or ethnic data. How may school databases be used?**

Typically, program operators are required to collect both aggregate data on potential participants (the number of persons eligible for meal benefits in the service area) and individual data on actual participants. When sites do not require enrollment forms and data for actual participants cannot be obtained via self-reporting, aggregate data on potential participants may be used. Aggregate data must be specific to the service area of the meal service site. In this way, program operators may use aggregate school enrollment data to satisfy the data collection requirements for both potential and actual participants during and after the grace period, when data on actual participants cannot be obtained via self-reporting.

**11. What are some sources other than school data that sites that do not require enrollment (non-enrolled sites) can use to obtain aggregate racial and ethnic data during the grace period?**

Non-enrolled sites may use Census' American Community Survey (ACS)10 at [www.census.gov/programs-surveys/acs/](http://www.census.gov/programs-surveys/acs/), which provides racial and ethnic data by multiple types of geographic areas, including by census tract and census block group. The ACS includes an age category of 0 to 5 years of age for racial and ethnic data and data for adults. The ACS also provides data for very small locations, like housing units, through the Public Use Microdata Sample files at [www.census.gov/programs-surveys/acs/microdata.html](http://www.census.gov/programs-surveys/acs/microdata.html). Sites may also wish to use data from the National Center for Education Statistics Common Core of Data database at <https://nces.ed.gov/ccd/schoolsearch/>, which provides data by school.

**12. May sites that do not require enrollment, and are operated by a school sponsor, utilize school enrollment data to obtain racial or ethnic data for individual children?**

Yes. Non-enrolled sites operated by a school sponsor, such as CACFP at-risk afterschool or SFSP open sites, may use school enrollment data to obtain the racial or ethnic data for individual children.

**13. Can you provide a summary of data collection methods that may be used for sites that do not require enrollment?**

FNS cannot provide an exhaustive summary of data collection methods that may be used; however, to help facilitate this transition FNS has identified methods, below, which State agencies and program operators may wish to consider:

*Aggregate Data:*

(Program operators must obtain these data at least once for each site during the operational period each year and may use them as a substitute for individual data during the grace period or after the grace period when the program operator attempts to collect the data, but no participants provide the information 11.)

- Use the Census' American Community Survey at [www.census.gov/programs-surveys/acs/](http://www.census.gov/programs-surveys/acs/) to obtain localized aggregate data on the population to be served.
- Use racial and ethnic data obtained from the National Center for Education Statistics Common Core of Data database at <https://nces.ed.gov/ccd/schoolsearch/> to search the specific school on the population to be served.
- Use aggregate school enrollment data to obtain localized data on the population to be served for sites that are operated at the same school or at a site located in the area served by a school.

*Individual Data:*

- Use individual school enrollment data to obtain racial and ethnic data for individual children. SFSP sites that are able to obtain children's names and have access to school enrollment records may use them to obtain racial and ethnic data.
- Ask parents and guardians to provide their children's race and ethnicity. Providing the information is optional and when the parent or guardian does not choose to provide the information, their answer will be recorded as "unknown". Data should be obtained at least once for each site during the operational period each year.

**Enrollment & Income Eligibility Forms and Income Eligibility Guidelines PY 2023**

Enrollment & Income Eligibility Forms (E/IEF) in both English and Spanish and Income Eligibility Guidelines will be posted by July 1 for 2022-2023 at [www.kn-eat.org](http://www.kn-eat.org), CACFP for use after July 1, 2022. To access these documents, select Income Eligibility Forms from the Key Links menu field on the left to access the updated forms.

**A current and complete E/IEF for each participant must be on file to claim reimbursement for meals.** The E/IEF should be copied as issued. At-Risk Afterschool Meals and Emergency Shelters participants are not required to have an enrollment and income eligibility form on file. However, if those same participants are claimed through the traditional component of CACFP, E/IEFs must be on file. Note: Outside School Hours Centers do not require an enrollment form but must collect income forms in order to claim reimbursement for free or reduced price meals. Enrollment is required for Outside School Hours Centers providing care during summer break.

For guidance on determining the E/IEF, refer to [www.kn-eat.org](http://www.kn-eat.org), CACFP, Administrative Handbook, Chapter 9, and [www.kn-eat.org](http://www.kn-eat.org), CACFP, Income Eligibility Forms, Enrollment and Income Eligibility Guidance. On August 11, KSDE will offer a live webinar training at 1:30 pm focused on Determining Eligibility in the CACFP and completing the Income Eligibility Category Summary. Save the Date! IEFs are effective from the beginning of the month in which they are determined until the end of the month the following year. For example, an IEF determined July 12, 2022 is considered valid from July 1, 2022 until July 31, 2023.

**Q. If a parent indicates that their household income is over guidelines but there is income information reported in the household income section, what should a Sponsor do?**

- A. The sponsor should contact the person who completed the E/IEF to clarify the household income and make notes on the E/IEF **before determining eligibility.**

**Q. If a family at a Child Care Center just completed an E/IEF in May, does the family have to complete a new E/IEF on the updated form in July?**

- A. No, the E/IEF is valid for 12 months. Therefore, the family would not be required to complete a new form until May 2023. However, a center can elect to have all families complete a new E/IEF during an annual update period.

**CACFP Enrollment Reminders**

**Every** child must be enrolled in the CACFP to claim meals. **Name, date of birth, normal days and times of care, normal meals received during care,** with **parent signature** and **date** are required. Incomplete forms will result in lost reimbursement income. A best practice is to have the forms double-checked by staff members. Enrollment is current for 12 months from the date of the parent's signature.





### **Procurement – Contract Renewal**

Sponsors who contract for meals with an outside entity to obtain meals must have a contract in place. All procurement methods must adhere to the procurement standards set forth in regulations (7 CFR 226.22). Sponsors are responsible for all contractual agreements. A vendor contract prototype is available at [www.kn-eat.org](http://www.kn-eat.org), CACFP, Administration, Meal Contracts. **All contracts over \$250,000 must be submitted to KSDE for pre-approval prior to signing.**

If meals are prepared in a licensed food service facility within a sponsoring organization and served or transported to other program sites within the same organization, a CACFP transport form is recommended to ensure that CACFP requirements are being followed by the staff preparing meals. A prototype can be found at [www.kn-eat.org](http://www.kn-eat.org), CACFP, Administration, Meal Contracts. Contact your consultant or Child Nutrition & Wellness (785-296-2276) for more information.

### **Reimbursement Rates**

Reimbursement rates for FY2023 will be posted at [www.kn-eat.org](http://www.kn-eat.org), Child and Adult Care Food Program, Key Links as soon as they are available from USDA.

### **Professional Development Update**

Professional development is offered through the KSDE Training Portal 24/7 and as scheduled live virtual events through Zoom. A full listing of live virtual events and links can be found on the CNW Calendar at [www.kn-eat.org](http://www.kn-eat.org), CNW Calendar. There is no preregistration for the live virtual classes through Zoom.

### **Administrative Workshop**

Program Year 2022-23 CACFP Administrative Workshop will be offered via live webinar on Thursday, July 28 from 1:00 pm – 4:00 pm using the following link: <https://ksde.zoom.us/j/83262847685?pwd=cUpwQ0d1M1cxWTNGRUJKOG1peWY1UT09>. Sponsors unable to attend the live webinar training will have the opportunity to take the training through the KSDE Learning Portal at a later date. At least one representative from each Sponsor must complete the CACFP Administrative Workshop training. For Sponsors that operate both the School Nutrition Program and CACFP, a live SNP Administrative Update/CACFP Administrative Workshop training will be held Wednesday, July 6, 8:00 am–12:00 pm using the following link: <https://ksde.zoom.us/j/88432205471?pwd=VIQ4Q2NKbmcveIY1djdFVk9KWFVVGQT09>. A CACFP Administrative Workshop for Homes will be held on Friday, July 29 from 8:30 am – 12:00 pm.

### **CACFP Certification Webinar**

Make plans to participate in a CACFP Certification Webinar scheduled for Tuesday, August 2 at 1:30 pm via zoom. Join at: <https://ksde.zoom.us/j/85072053744?pwd=Ui82QVJ6bXkzQ292ZEttK3ZFdjVoQT09>

### **CACFP At-Risk Afterschool Meals Training**

As summer break wraps up and the school year begins CACFP At-Risk Afterschool Meals and snacks can again be served to children located in low-income locations. Sponsors and sites interested in being reimbursed for a supper and/or snack served after the school day can learn more about CACFP At-Risk Afterschool Meals on Thursday, August 4 from 11:15 am – 12:15 pm. Join at: <https://ksde.zoom.us/j/89436398830?pwd=Z0ZrS1lWY2twL0ZGUDhEQksvQINjdz09>

### **CACFP Determining Eligibility Training**

Join KSDE on Thursday, August 11 from 1:30 pm – 3:30 pm to learn about determining eligibility in the CACFP and completing the Income Eligibility Category Summary. Participating in this training can help prevent costly errors found during Administrative Reviews and audits. Join at: <https://ksde.zoom.us/j/88411296527?pwd=bk1wY2RnVCTxM2hoQWQzT1lwZVhsQT09>



### **Child Nutrition & Wellness KANSANS CAN 2021-22 Best Practice Awards**

We encourage you and your staff to make nominations for outstanding and/or innovative practices for recognition of your heroic efforts this past program year. A simple one-page nomination entry form is available at [www.kn-eat.org](http://www.kn-eat.org), Child & Adult Care Food Program, What's New. **Nominations are due to the Child Nutrition & Wellness office on or before June 30, 2022.** Awardees will be notified by July 31 and presentations will be made at the August State Board of Education meeting. Please do not hesitate to contact any Child Nutrition & Wellness team member if we can be of assistance with the application process. We look forward to receiving your nominations and celebrating the Kansans CAN Best Practice Awards with you at the August 2022 State Board of Education Meeting.

### **Catalog of Federal Domestic Assistance (CFDA) Numbers**

The Kansas State Department of Education (KSDE) is required to provide sponsors participating in Child Nutrition Programs with CFDA numbers for USDA programs that are administered by KSDE. The following is the list of CFDA numbers and their respective programs:

- 10.555 4553 National School Lunch Program
- 10.555 4553 Afterschool Snack Program
- 10.553 4552 School Breakfast Program
- 10.556 4555 Special Milk Program
- 10.558 4554 Child and Adult Care Food Program
- 10.559 4556 Summer Food Service Program
- 10.582 4557 Fresh Fruit and Vegetable Program
- 10.574 4558 Team Nutrition Grants
- 10.579 4011 Equipment Grant

This information will be useful to auditors when you have an audit. All program participants that expend over \$750,000 in federal financial assistance from all sources are required to have a Single Audit (previously called A133 Audit) annually.

### **At-Risk Afterschool Meals Toolkit**

Kansas Team Nutrition has developed a toolkit for At-Risk Afterschool Meals sponsors. Check it out today! Resources in the toolkit include: sample social media posts to promote the program, a 2-week hot menu, 2-week cold menu, 4-week snack menu, program administrative tools, and supplemental menu resources. The toolkit can be found at [www.kn-eat.org](http://www.kn-eat.org), CACFP, Resources, At-Risk Afterschool Meals. To receive a hard copy of the At-Risk Afterschool Meals Cycle Menus, email Sarah Bruschi at [sbruschi@ksde.org](mailto:sbruschi@ksde.org).

### **Parents Breastfeeding Onsite at Child Care**

What to do if a parent wants to breastfeed their baby onsite at child care? Welcome them! Breastfeeding in public may not be as big of an issue as you might think. The majority of Americans (68%) support the right of women (and children) to breastfeed in public. It's also the law in Kansas that a mother has the right to breastfeed wherever she has the right to be. No need to ask the parent to cover up or move to a separate area. You can ask them if they are comfortable and if they would like some water. Breastfeeding is thirsty work! You can normalize breastfeeding for the other children onsite by having breastfeeding-friendly children's books onsite and by talking about how mammals feed their young. Talk with your staff about public breastfeeding and perhaps watch this video (<https://www.youtube.com/watch?v=9Ecy9yYkS6g>) about public breastfeeding.



**Consider sharing the following Social Media Post:** #Breastfeeding is welcome here! Child Care providers can let parents know they are welcome to #breastfeed onsite. For CACFP providers, this is a reimbursable meal, putting \$ in their pockets. Support breastfeeding in child care programs – it's as easy as pulling up a chair. @KSBreastfeeding @KSDEHQ #Breastfeed #Childcare #FuelingKSKids.

### Celebrate National Dairy Month

June is National Dairy Month. Here are some ways to celebrate:

- Read with Young Children [English] [Spanish]
- Take the "Milk in the CACFP" Quiz
- Play this Bingo-style Game at Your CACFP Training [English] [Spanish]
- Prepare a Peach and Yogurt Smoothie [Ages 3-5] [Ages 6-18]

### Staffing Update

Julie Henry, Assistant Director, left the Child Nutrition & Wellness team on June 7th. She has accepted the position of Director of Nutrition and Wellness for Lawrence Public Schools. Sincere thanks to Julie for her outstanding work during her 8 years of service at KSDE as an Assistant Director, Training and Technology Consultant and Child Nutrition Consultant. Julie's work has created technology solutions for Kansas Sponsors and increased access to healthy meals for Kansas children.

Jill Ladd, Assistant Director, will also be leaving the Child Nutrition & Wellness team on July 6<sup>th</sup>. Heartfelt appreciation to Jill for her exemplary work not only as an Assistant Director, but also as a Team Nutrition Project Director and Grants and Special Projects Specialist. Jill's work over the past 11 years has resulted in many grant opportunities, nutrition education and training resources, increased access to healthy meals (especially breakfast, summer and during the pandemic) and clear guidance and technical assistance.

Thank you to Jill and Julie for their service and positive leadership of Child Nutrition Programs in Kansas. They will be missed. Kelly Chanay, current Professional Development Project Director will be serving as Acting Assistant Director and can be contacted at [kchanay@ksde.org](mailto:kchanay@ksde.org).

### Happy Birthday, My Plate!

June marks the 11<sup>th</sup> birthday of the MyPlate icon. Celebrate by sharing Team Nutrition's free **MyPlate materials** developed specifically for kids and their parents/caregivers. Did you know that child care and summer meal sites that participate in Federal Child Nutrition Programs can request free Team Nutrition MyPlate materials? [Click here](#) to order resources for a healthy summer!

### Cheryl, Jill and Kelly





For more information, contact:



Cheryl S. Johnson, Director  
Child Nutrition & Wellness  
(785) 296-2276  
[www.kn-eat.org](http://www.kn-eat.org)  
[csjohnson@ksde.org](mailto:csjohnson@ksde.org)

Kansas State Department of Education  
900 S.W. Jackson Street, Suite 102  
Topeka, Kansas 66612-1212  
(785) 296-3201  
[www.ksde.org](http://www.ksde.org)

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The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.