

AT-RISK MEALS RESPONSIBILITIES

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AT-RISK MEAL PROGRAM

Sections 107 and 108 of Public Law 105-336 (the Child Nutrition Reauthorization Act of 1998) authorizes reimbursement for snacks served to children through the age of 18 (and to individuals, regardless of age, who are determined by the Oklahoma State Department of Education [the *State Agency*] to be mentally or physically disabled) who participate in programs organized to provide after-school care. Further, Section 122 of the Healthy, Hunger-Free Kids Act allows one additional breakfast, lunch, or supper to be served and claimed for reimbursement. The intent is to assist sites in operating organized programs of care which include education or enrichment activities known to help reduce or prevent children's involvement in juvenile crime or other high-risk behavior.

A. Eligible Programs

To qualify for reimbursement under the Child and Adult Care Food Program (CACFP), the At-Risk Meal Program must meet the following criteria:

1. The purpose of these programs must be to provide care in after-school settings. This does not mean that the programs must offer formal child care as recognized by a licensing authority. There is no federal requirement for at-risk sites operating under this provision to have either federal, state, or local licensing or approval as a condition of eligibility. However, to qualify under this provision, these programs must be organized to provide children with regularly scheduled activities in a setting that is structured and supervised. By *regularly scheduled*, it is not meant that the program must occur daily. Moreover, while eligible programs would not need to establish formal enrollment procedures, they must have a means of determining that children are present on a given day, such as a roster or sign-in sheet.
2. Eligible programs must include education or enrichment activities in organized, structured, and supervised environments.

It must be emphasized that *under no circumstances* can organized athletic programs engaged in interscholastic sports be approved as at-risk programs under this provision. In the Conference Report that accompanied Public Law 105-336, the Conference Committee declared its intent that support under this provision would not be provided to members of athletic teams. However, while athletic teams participating in interscholastic sports programs may not be approved, programs which include supervised athletic activity along with education or enrichment activities may participate. *The key would be that they are open to all and do not limit membership for reasons other than space or security considerations.*

3. Eligible sites are not allowed to participate during the summer months. The At-Risk Meal Program only operates during the school year. **NOTE:** When school is not in session, children aged 12 and under may be served up to three meals per day in a regular child care setting. However, the center must count these children in the eligibility category (participation data) in which documentation is obtained. If there are no FSIA's obtained and approved for these children, they would all be reported in the *not eligible* category on the center's monthly claim.

B. Reimbursement

Under this provision, sites may claim reimbursement for one snack and one meal, per child, per day. See **pages 105 and 106** for minimum meal requirements. Children are eligible to participate through the age of 18, and if a child's nineteenth birthday occurs during the school year, reimbursement may be claimed for meals served to that child during the remainder of the school year. Reimbursement may also be claimed for individuals, regardless of age, who are determined by the State Agency to be mentally or physically disabled.

At-Risk programs must be located in the attendance area of a school site which has at least 50 percent of its enrollment eligible for free or reduced-price meals. All meals are claimed at the free reimbursement rate. Under no circumstances may a site charge children for meals served.

C. Times of Operation

Under no circumstances may meals be reimbursed in programs operated before or during the child's school day. Sites are only eligible to receive reimbursement under this provision for meals during the normal school year. It can include weekends, holidays, Thanksgiving, Christmas, and spring break vacations, but does not include summer vacations.

Any meals served under the At-Risk Meal Program must be consumed on-site.

D. Record Keeping

It is the intention of the law to keep any record-keeping burden to the minimum necessary to ensure that federal reimbursement is properly paid. At a minimum, sites participating under this provision must maintain the following records for the time periods required in the institution's agreement:

1. Documentation that the site is located in an area served by a site in which at least 50 percent of the enrolled students are certified eligible for free or reduced-price meals.
2. Documentation of an individual child's attendance on a daily basis and meal counts for all children. Refer to **pages 225, 227, 229, and 231** for copies of the attendance and meal count forms available.
3. *Menus as Served* records indicating components and quantities of food. Refer to **page 261** for a copy of the form.
4. Review of each at-risk site for compliance with counting and claiming procedures and the meal pattern. The institution must review each site three times per year and must include a meal observation. For new sites, the first review must be conducted during the first four weeks of meal service. A form has been provided on **page 197** for institutions to use for this purpose.
5. There are two different methods in which a sponsor may conduct reviews to comply with USDA requirements:
 - a. Conduct one announced and two unannounced* reviews of program operations to assess compliance with meal patterns, record keeping, and other requirements, with not more than six months elapsing between reviews. Each review must include a meal analysis where children are present. All reviews must be documented and kept on file.
 - b. An SO may do **review averaging** by conducting an average of three reviews per provider per year. If an SO conducts one unannounced review* of a facility in a year and finds no serious deficiencies, the SO may choose not to conduct a third review of the facility that year and may make its second review announced, provided that the SO conducts an average of three reviews of all of its facilities that year and that it conducts an average of two unannounced reviews of all of its facilities that year. When the SO uses this averaging provision and a specific facility receives two reviews in one review year, the first review in the next review year must occur no more than nine months after the previous review. If choosing this method, not more than nine months can elapse between reviews and all seriously deficient providers must have at least three reviews per year. If **review averaging** is selected, the SO must have a written plan with detailed procedures for tracking reviews. Each review must include a meal analysis where children are present. All reviews must be documented and kept on file.

* Sponsors must ensure that the timing of unannounced reviews is varied in a way that would ensure they are unpredictable to the facility.

AT-RISK MEAL PROGRAM ON-SITE REVIEW

1. Reviewer: _____ 5. Institution Agreement Number: _____
 2. Facility: _____ 6. Date of Visit: _____
 3. Facility's Address: _____ 7. Time of Visit _____
 4. Unannounced Review Announced Review 8. Review: 1 2 3 Weekend Follow-Up
 9. New Site Initial Review: Yes No
-

- | | YES | NO |
|---|--------------------------|--------------------------|
| A. ATTENDANCE | | |
| 1. Is an attendance list used in the meal count system? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is attendance list updated as needed (at least daily)? | <input type="checkbox"/> | <input type="checkbox"/> |
| B. MEAL COUNT RECORDING AND EDIT CHECKS | | |
| 1. Does the institution use proper procedures for counting and recording meals? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. For any day during the review month, does the number of meals claimed by type exceed the daily attendance? | <input type="checkbox"/> | <input type="checkbox"/> |
| C. MINIMUM MEAL PATTERN REQUIREMENTS | | |
| 1. Do all meals served include the required components? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do all meals served meet the quantity requirements for the age groups served? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are adequate <i>Menus as Served</i> forms being maintained? | <input type="checkbox"/> | <input type="checkbox"/> |
| D. EDUCATIONAL OR ENRICHMENT ACTIVITY | | |
| _____ | <input type="checkbox"/> | <input type="checkbox"/> |

(List activity)

Comments (List any problems that need corrective action and what the corrective action must be):

- | | YES | NO |
|-------------------|--------------------------|--------------------------|
| Follow-up needed? | <input type="checkbox"/> | <input type="checkbox"/> |

Signature of Reviewer: _____ Date: _____

AT-RISK MEAL PROGRAM ON-SITE REVIEW

INSTRUCTIONS

Each site approved to participate as an At-Risk Meal Program site must be reviewed three times annually. The first of these three required reviews for a new site must be conducted in the first four weeks of operation.

1. Reviewer: Record the name(s) of the reviewer(s) or monitor(s).
2. Facility's Name: Record the facility's name.
3. Facility's Address: Record the facility's address.
4. Unannounced or Announced: Indicate if the review is unannounced or announced.
5. Institution Agreement Number: Record the institution's agreement number.
6. Date of Visit: Record the date of the monitor review.
7. Time of Visit: Record the time of arrival at this site.
8. Review: Circle the appropriate answer to identify which review is being conducted (1, 2, 3, weekend, or follow-up).
9. New Site: Indicate if this is a new site's initial review.

Items A—D

Record a *Yes* or *No* after answering each question.

Answer *Yes* or *No* to whether a follow-up is necessary.

Sign and date review instrument.