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Providers must participate in the Child and Adult Care Food Program (CACFP) under a Family Day Care Home (FDCH) sponsoring organization, which will be referred to as “sponsor” throughout this Guidance Memorandum (GM). This GM details the CACFP requirements of sponsors for determining and overseeing provider eligibility to participate under their program. All providers meeting these criteria must be approved by the WI Department of Public Instruction (DPI) to participate under the sponsor’s contract through its Provider List before submitting providers within their DPI claim.

Providers must have one home or family child care on the CACFP and only participate under one sponsorship at a given time.

ENROLLMENT PROCESS

Providers are considered “new” when joining the CACFP for the first time under a sponsor and upon returning to a sponsorship of former participation. New providers include those transferring to the sponsor from another (Refer to [Provider Transfers](#) section).

Sponsors must follow the requirements specified in this GM to enroll new providers for CACFP participation under their sponsorship.

| Provider Eligibility and Enrollment Process |
|---|
| ✓ Verify provider not on the USDA NDL |
| ✓ Verify provider not participating under different sponsor or operating another family child care already on the program |
| ✓ Verify provider regulated for nonresidential family child care |
| ✓ Verify family child care in private residence (not commercial building) |
| ✓ Assign unique provider number |
| ✓ Complete orientation and a preapproval visit with provider |
| ✓ Complete CACFP Home Provider Application Form |
| ✓ Complete CACFP Sponsor-Home Provider Agreement |
| ✓ Submit provider file through sponsor’s Provider List for DPI approval |
| ✓ Finalize Effective Date of Agreement upon receiving DPI’s approval |

USDA CACFP National Disqualified List (NDL)

The NDL is a nationwide list maintained by USDA identifying institutions and individuals, including home providers disqualified from CACFP participation. Providers and employees on the NDL cannot participate in or work with the CACFP, regardless of where and in what capacity they worked with the CACFP when disqualified.

To avoid investing resources on ineligible individuals, sponsors should query the NDL for prospective employees and providers before they start the application process. DPI also verifies each FDCH sponsor employee and provider is not on the NDL as part of the contract approval process.

➤ [USDA e-Authentication NDL Login page](#)

NDL Access

To perform NDL searches, Sponsor staff must have access to the NDL through USDA’s e-Authentication system as a “Public Customer” (formerly called level 2 access).

➤ To register as a new “Public Customer”, go to: [New Access to NDL](#)

Provider Numbers

The sponsor must assign unique numbers to each provider. Provider numbers must never be re-assigned to different providers, even those assigned to terminated providers.

- The number previously assigned to a returning provider may be re-activated for their participation under a new agreement.

Refer to the FDCH Sponsor's Provider Manual for instructions.

- The provider’s assigned number must be consistently used throughout the sponsor’s claim data system and the provider’s records.

Private Residence

The provider must operate their child care within their own residence, the private residence of another individual or a rented or unoccupied private residence. They cannot operate their family child care in commercial properties, including churches and schools.

Nonresidential Family Child Care

The provider must be regulated to provide non-residential family child care in accordance with the standards set by the Division of Early Care and Education, Wisconsin Department of Children and Families (DCF). They may operate their family child care under a license or certificate.

Provider's Regulation

Providers must operate their family child care in accordance with either DCF Licensing or Certification rules respective to the type of their issued regulation:

- License - [DCF Family Child Care Licensing Rules 250](#)
- Certificate - [Child Care Certification Rules: DCF Chapter 202](#)

Provider's Name on License/Certificate

The license/certificate must be issued to one individual, the person holding final legal and financial responsibility for the child care operation.

Regulation Issued in Facility Name Only

If the responsible party listed on the regulation is in the name of the facility instead of the provider, additional DCF information identifying the responsible individual must be acquired. This additional information may be in the form of:

- The DCF Letter of Transmittal, typically issued with the license/certificate
- OR**
- A print-out from the DCF website showing the provider's name, day care home address, effective date, and expiration date (*for certificates and probationary licenses only*)

Sponsors must not approve a provider to participate in the CACFP when their regulation and its corresponding documents are issued in the facility's name. The provider must correct their regulation with DCF or their certifier so that it is issued in the provider's name, as an individual, before being approved to participate in the CACFP.

Regulation Issued in the Names of Multiple Providers

Regulations must be issued to one individual, the person who holds final fiscal and regulatory responsibility for the FDCH. A provider listed as one of multiple providers (*or as the "primary provider" among multiple providers*) on the regulation or its Letter of Transmittal must not be approved to participate until it is issued solely in that one provider's name.

Provider's Address on License/Certificate

The address printed on the provider's regulation must be the street address or rural route number where they provide family child care.

P.O. Box numbers are not acceptable. If their license/certificate only lists a P.O. Box number for the family child care's address, the provider must contact DCF or the certifier for correcting it to the actual geographical address before they can be approved to start CACFP participation.

Mailing Addresses

A provider may request the sponsor to use a mailing address different than the address of their day care home, including P.O. box numbers, for mailing items only. This request must be in writing to the sponsor, to then be retained on file for as long as the mailing address is used by the provider.

Multiple Providers at Same Residence

Providers operating out of the same residence may be permitted to participate in the CACFP under the following conditions:

- Their regulations list the same address for providing child care;
- They care for different children or different shifts of the same children; and
- They participate under the same sponsor.

Orientation and Pre-visit

Sponsors must train each new provider through their orientation process and visit their facility before they can start participation.

For information on orientation requirements, go to [GME - Training](#).

For information on Pre-visit requirements, go to [GMD - Monitoring](#).

Returning Providers < 1 Year Participation Lapse

If the provider dropped their participation within the last 12 months and left in good standing, the sponsor may apply discretion on completing an onsite pre-visit and orientation.

Effective Date of Agreement

The *Effective Date of Agreement* must be recorded on both the [CACFP Home Provider Application Form](#) and the [CACFP Sponsor-Home Provider Agreement](#) for copies retained on file by the sponsor and provider.

Subject to DPI's approval, the *Effective Date of Agreement* is the date on which a new provider may begin claiming meals for CACFP reimbursement. The sponsor's ***Effective Date of Agreement must be the latest of the three (3) following dates:***

- Effective date printed on the provider's regulation
- Pre-visit date
- Orientation date

DPI's Approved Effective Date of Agreement

Depending on the sponsor's online submission date of the new provider's file for adding the provider to their Provider List, DPI's approved *Effective Date of Agreement* may vary from the sponsor's intended *Effective Date of Agreement* (latest of license's effective date, pre-visit date, and orientation date).

- DPI will approve the sponsor's *Effective Date of Agreement* if the sponsor's submission date of the new provider's file is no later than the end of the next calendar month.

Example: - Sponsor's *Effective Date of Agreement* is December 15th
- Sponsor submits new provider file on January 10th
- DPI approves December 15th as the *Effective Date of Agreement*

- If the sponsor submits the new provider's file after the end of the next calendar month, DPI must approve the *Effective Date of Agreement* no earlier than the 1st day of the calendar month preceding the submission date.

Example: - Sponsor's *Effective Date of Agreement* is December 15th
- Sponsor submits new provider file on February 5th
- DPI approves January 1st as the *Effective Date of Agreement*

- In this case, the sponsor must record DPI's approved *Effective Date of Agreement* on the signed [CACFP Sponsor-Home Provider Agreement](#) and [CACFP Home Provider Application Form](#) copies given to the provider and retained on file by both parties. The start date of receiving meal reimbursement in the sponsor's claim system must be no earlier than the *Effective Date of Agreement* approved by DPI.

DPI will not approve a provider participating with another sponsor or who is on the NDLC.

As best practice, sponsors should send the provider copies of the completed forms after receiving DPI approval so their copies have the correct *Effective Date of Agreement* if DPI approves it to be a later date.

CACFP Home Provider Application and CACFP Sponsor-Home Provider Agreement

Both required DPI forms must be completed for each new and returning provider during the enrollment process. Sponsors may either use the electronic pdf-fillable version posted to DPI’s webpage or DPI’s 2-ply hard copies.

Electronic PDF-Fillable Versions

All fields are fillable except for the signature and signature date fields.

To collect signed copies, the sponsor may use electronic signature applications (such as AdobeSign, DocuSign, etc.) if they link externally identifiable information of the signer or device used for transmission, including the date / time stamp and signer’s name, email account used, or electronic device’s IP address.

If electronic signature applications are not used, the handwritten signatures and signature dates of the adult household member and sponsor representative must be collected on the forms in person or exchanged copies by email, fax, or mail.

2-ply Hard Copies: Sponsors are to contact their assigned DPI consultant for copies, as needed.

➤ **Returning Providers < 1 Year Participation Lapse**

If the provider dropped their participation within the last 12 months and left in good standing, the sponsor may apply discretion on completing new forms.

CACFP Home Provider Application (formerly PI-1472)

The [CACFP Home Provider Application](#) must be completed during the enrollment process by following the instructions on the form and signed by both the provider and sponsor.

The sponsor must submit the provider’s application information to DPI for approval through the online Provider List submission process.

Go to the FDCH Sponsor’s Provider Manual for instructions.

- The [Effective Date of Agreement](#):

A box for recording the *Effective Date of Agreement* has been added to the [CACFP Home Provider Application Form](#).

| REGULATION INFORMATION | | | | Meals served to provider’s own children may be reimbursable if the sponsor has determined the provider’s current Household Size-Income Statement as eligible. | |
|--|----------|----------------------------------|-----------------|---|-------------------|
| DWD Provider No. | | | | Provider’s own children? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Regulation Type License <input type="checkbox"/> Certificate <input type="checkbox"/> | Capacity | Effective Date | Expiration Date | Are children currently enrolled? <input type="checkbox"/> Yes <input type="checkbox"/> No • If no, anticipated start date of care? | |
| Days of Operation: Sunday <input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> | | | | Orientation (M/D/Y): | Previsit (M/D/Y): |
| Hours of Operation From <input type="checkbox"/> AM To <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> PM | | Age Range of Children From To | | *Effective Date of Agreement (M/D/Y): | |

This date must be the same as the *Effective Date of Agreement* recorded on the [CACFP Sponsor-Home Provider Agreement](#). See the [Effective Date of Agreement](#) section above.

Sponsors are not required to update the originally completed form or complete a new application form for changes to the provider’s application information (regulation updates, changes to meal types or meal service times, address changes etc.). Other documentation methods are acceptable, for example through meal change requests, submission of updated regulations, email etc.

A copy of the completed application with DPI’s approved *Effective Date of Agreement* must be kept on file by both the sponsor and provider in accordance with the 3-year record retention rule.

Refer to [GM K – Recordkeeping Requirements](#).

CACFP Sponsor - Home Provider Agreement (formerly PI-1425)

The [CACFP Sponsor - Home Provider Agreement](#) is a required form that must be completed and signed by both the sponsor and provider during the enrollment process. The sponsor must:

- Review with the provider each party's rights and responsibilities they agree to upon both of their signatures.
- Record the day of each month by when the provider must submit their reimbursement claims (meal counts and menu records) to receive payment.
- Record the *Effective Date of Agreement* based on the parameters explained in the [Effective Date of Agreement](#) section above and **not the provider and sponsor's signature dates on the Agreement.** (The same date must also be recorded in the *Effective Date of Agreement* box on the [CACFP Home Provider Application Form](#).)

***EFFECTIVE DATE OF AGREEMENT** Mo./Day/Yr

*The Effective Date of Agreement is the first date on which the Provider may claim meals. It must be the latest of the effective date of the Provider's license / certificate, pre-approval visit, or orientation unless otherwise approved by DPI.

A copy of the signed, completed agreement with DPI's approved *Effective Date of Agreement* must be maintained on file by both the sponsor and provider for the duration of the provider's participation plus three Federal Fiscal Years (FFY) after they have terminated from the sponsor's program. (Refer to [GM K - Recordkeeping Requirements](#).)

Note: Participating providers having signed earlier versions of the Agreement are not required to complete updated versions if their originally signed Agreement is on file.

MEALS

Sponsors must only approve providers to claim meals that fall within their regulatory limits, including any noted restrictions or exceptions.

➤ Breakfast meals must be served during morning hours, typically as the first meal of the day.

The sponsor's reimbursement system and claims review process must have edit checks preventing reimbursement of meals that fall outside these limits:

- Days and hours of operation and age of children in care
- Capacity
Providers must only be reimbursed for meals served to children within their regulation's group size limit, unless approved for serving shift meals.
Refer to [GM B - Criteria for Meal Reimbursement](#) for requirements pertaining to shift meals.
- Effective Period of License/Certificate
Providers must not be reimbursed for meals prior to the effective date or after the expiration date of their regulation as well as during any lapse in their regulation (i.e. during a provider's move).
- Expired regulation
Sponsors cannot extend participation for providers beyond the expiration date until receiving a copy of the updated regulation.

Effective Date of Meal Change Requests

Providers may request for approval to claim additional or different ages of children, days of operation, or meal service types than initially approved by the sponsor on their [CACFP Home Provider Application](#).

The sponsor may set their own meal change policy for the effective date they approve providers to start claiming meals within their change request. Their policy should include how they will document the effective dates of meal change requests. A sponsor's policy options for the effective date of meal change requests include (but are not limited to):

- The date of the sponsor's approval (limited by the 60-day claim deadline rule)
 - A future date (for example, the first day of the month after the sponsor receives the change request)
- If the provider's request is based on recent changes to their regulation's limits, the sponsor must receive a copy of the updated regulation before approving their requested meal changes.

Sponsors must inform providers of their meal change policy and consistently apply it to all providers' meal change requests.

MEAL REIMBURSEMENT RATES (TIER 1 AND TIER 2)

FDCH Sponsors must determine which of the two reimbursement rates (Tier 1 or Tier 2) each provider is eligible to receive for their enrolled children's meals. Whether a provider may receive Tier 1 rates for all meals served to their non-residential children is based on area eligibility (*by school or census data*) or the eligibility determination of their current Household Size-Income Statement (HSIS). If the provider is not Tier 1 eligible, they may receive Tier 1 rates for meals served to their enrolled children whose families qualify for Tier 1 rates based on their current HSIS.

Area Eligibility for Relocations

When providers move, the sponsor must determine whether the provider is area eligible at their new address. If the provider's area eligibility status changes, the provider must be reimbursed for meals at the new Tier determination back to the 1st of the month when they relocated.

Refer to [GM J – Tiering Requirements](#) and [GM I – Household Size-Income Statements](#) for information on making Tier determinations.

PROVIDER TRANSFERS

A provider may terminate with one sponsor to join under another sponsor as a new provider without any lapse in CACFP participation when meeting specific terms. If meeting these terms, a sponsorship change is considered a "transfer".

When the terms are not met, the provider forfeits the right to receive CACFP reimbursement for a minimum of one full calendar month.

Wisconsin's FDCH sponsors collectively agreed to the following terms and conditions for permitting providers to transfer between sponsors without a participation lapse:

- ✓ The provider must be in "good standing" with their current sponsor. "Good standing" means:
 - ◆ They must, at minimum, not be seriously deficient and do not owe any debt.
 - ◆ If they are not seriously deficient but fall short of being systemically compliant, the two sponsors may make a mutual decision on whether to allow the transfer.
- ✓ The provider must initiate the transfer by completing the provider's section of the Home Provider-Sponsor Transfer Request form according to the instructions on the form. (*The notice timeframes may be discretionary upon mutual agreement between the two sponsors.*)
- ✓ The provider must forward their transfer request form to their current sponsor for completion and collaboration with the new sponsor.
- ✓ If within the first year of starting CACFP participation, the provider may transfer on the first day of any subsequent month.
- ✓ If after the first year of starting CACFP participation, the provider may transfer on the first day of the month after their anniversary date with the current sponsor.

The Home Provider-Sponsor Transfer Request form is a required DPI form that must be completed for each transfer. The provider, current sponsor, and future sponsor must work together to complete the transfer by following the instructions on the form.

Sponsors may either use the electronic pdf-fillable version posted to DPI's webpage or DPI's 4-ply hard copies, for which sponsors are to contact their assigned DPI consultant for supplies, as needed.

See the [CACFP Home Provider Application and CACFP Sponsor-Home Provider Agreement section](#) on requirements for collecting signatures and signature dates when using the electronic pdf-fillable version.

TERMINATIONS

A provider becomes ineligible to continue their CACFP participation and must be terminated when their regulation has closed, they have terminated For Convenience and/or they have been terminated For Cause. Sponsors must terminate providers within their data systems to ensure they are not paid for any meals after their termination date. They must submit these providers online through to DPI for removing them from their Provider List.

- Refer to the FDCH Sponsor's Provider Manual for instructions.

Termination For Convenience versus For Cause

For Convenience

A provider's participation is terminated by either the sponsor or provider when the provider is in good standing (not seriously deficient, no repeated non-compliance with program requirements, and does not owe any debt)

For Cause

A provider's participation is terminated by the sponsor as a result of being suspended due to imminent threat to the health and safety of children and/or the public **OR** failure of successfully implementing corrective action to resolve a declaration of serious deficiency.

The provider is disqualified from participating in the CACFP for at least seven (7) years or longer if having unpaid debt. Their names are entered onto the USDA NDL.

Refer to [GM – M Serious Deficiency Requirements](#).

Termination For Convenience Policy

Sponsors and providers are to give written notice at least ten (10) days prior to the termination date of their agreement. *However, sponsors have discretion in accepting a provider's termination request with shorter notice.*

- Sponsors must not permit providers to "quit" to avoid implementing corrective action or to avoid declaring a provider seriously deficient. The provider must demonstrate full correction of the non-compliance before terminating For Convenience or otherwise must be declared seriously deficient.

Sponsors

Sponsors may set their own criteria for terminating providers For Convenience based on the following:

- The provider's claiming activity, when they do not submit any claims for a certain number of months
- The sponsor's capability to meet the monitoring requirements and to provide service; for example, if the provider's sporadic operating schedule prevents the sponsor from completing the required monitoring visits or the provider has moved out of their service area.

Providers

When terminated For Convenience, the provider may participate under a different sponsor or later return under the same sponsorship.

- The [Provider Transfers](#) section provides the required terms for changing sponsors without any lapse in CACFP participation.

Closed Regulation

The sponsor must terminate the provider's participation effective the date of their closed regulation. The sponsor may receive notice of a provider's closed regulation from the provider, DCF/Certification, and/or DPI. DPI forwards sponsors DCF's notices pertaining to revocations, denials, and closures of their providers' regulations as well as providers listed on DCF's closed facility reports. (See [DCF Closed Facilities Report](#) section)

Voluntary Expiration or Closure

The provider may choose to not renew their regulation or close their child care prior to its expiration.

- The sponsor must terminate the provider for Convenience effective the voluntary closure date of their regulation.

Revocation or Denial

DCF or Certification may revoke the provider's regulation or deny renewal.

- Revocation or denial of the provider's regulation may require the sponsor to terminate the provider For Cause. (Refer to [GM – M Serious Deficiency Requirements](#))

DCF CLOSED FACILITIES REPORT

DPI downloads DCF's Closed Facility Report (CFR) from the Wisconsin Child Care Regulatory System (WISCCRS) database at the beginning of each month for the prior month's closures. The CFR lists providers who have voluntarily closed their child care, relocated, become a group child care center, or have been suspended or revoked. DPI forwards each of the sponsor's providers listed on the monthly CFR to them respectively.

The CFR is a "snapshot in time" of information entered by DCF officials and therefore may not capture all closed and/or revoked providers. Sponsors must not only rely on DPI's CFR notice to monitor closures.

CFR Procedures

DPI's Role:

- Using the CFR and each sponsor's Provider List information, DPI identifies providers currently participating in the CACFP and under which sponsor.
- DPI consultants email the sponsors their providers identified on the CFR, closure dates, and reasons for closure (e.g., voluntary closure, revocation, relocation etc.).

Sponsor's Role:

- Sponsors must terminate providers who are no longer regulated within their systems to ensure they receive no further CACFP payments after the closure date and follow up with providers who have relocated to obtain updated regulations.
- Follow the instructions in the FDCH Sponsor's Provider Manual to remove terminated providers from the sponsor's Provider List and to update provider's information for those who have relocated.
- If a sponsor issues CACFP reimbursement to a provider for meals served after their closure date or during a lapse in regulation (i.e. during a move), they must follow the procedures outlined in [Guidance Memorandum F](#) for remitting payment to DPI for these meals.
 - In certain cases, the provider may also need to be declared as seriously deficient. (Refer to [GM – M Serious Deficiency Requirements](#))

DCF WISCCRS

DPI advises that sponsors have access to and periodically check DCF's WISCCRS database for critical changes in their providers' regulation status. [WISCCRS Login](#)

Sponsors should not solely rely on DPI's CFR notice for information on their providers' closures and revocations.

FDCH sponsor staff may obtain access to DCF's databases under DPI's data sharing agreement with DCF. New staff requesting for access to DCF's databases under DPI's agreement must contact the sponsor's assigned consultant.

All staff with access to DCF's databases under DPI's data sharing agreement must annually certify their understanding of the security and confidentiality requirements by completing *Attachment B*.

PROVIDER OUTREACH/RECRUITMENT

FDCH sponsors must establish policies and procedures for conducting outreach to prospective new providers. Their recruitment practices must not directly conflict with or put other sponsors in their service area at a disadvantage. For example, sponsors must not:

- Directly solicit providers currently participating under another sponsor
- Base payment to staff, contractors, or providers solely on the number of new providers recruited for their CACFP

SPONSOR'S PROVIDER LIST

The sponsor's Provider List, previously referred to as "Schedule A", is the list of the sponsor's providers approved for CACFP participation by DPI as part of the sponsor's CACFP contract. FDCH sponsors must keep information current on each of their providers within their Provider List by submitting updates through the online process.

- The sponsor's Provider List should only show providers with an active agreement at any given time.

DPI uses the sponsor's Provider List information to complete monitoring ratio analyses for determining the sponsor's compliance with the monitoring ratio requirements. Infrequent removal of terminated providers from the sponsor's Provider List may inflate the required number of monitoring hours.

Requesting Provider List Reports

Sponsors may request for a list of approved providers within their Provider List from their DPI consultant. Terminated providers may be included in their Provider List report, upon request, by specifying how many months back. DPI can generate a Provider List report in Excel or PDF format.

Sponsors can view a list of all providers currently approved in DPI's online system by choosing "Show All Providers" within the 'Modify-Browse Application' option of the Provider Application menu. Providers are listed in provider number order. Terminated providers will not appear on the list.

Refer to the FDCH Sponsor's Provider Manual for instructions.