

Section 2000

Eligibility and Application

Requirements

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Eligibility and Application Requirements

Organizations participating in the CACFP (Program) are known as Contracting Entities (CEs). CEs participating in the Day Care Home component of the CACFP are also referred to as sponsoring organizations (sponsors). Reference Section 9000, *Terms, Definitions and Acronyms*, for the definition of a sponsoring organization.

Day care homes, also known as Providers, can only participate in the Program under the auspices of a sponsor. As a sponsor, the CE accepts final administrative and financial responsibility for all day care homes under its sponsorship.

Potential CEs must submit an application for the Program Year (PY) in which they intend to begin their participation. Each year CEs will be required to submit a renewal application (also known as a continuing application).

CEs that withdraw or terminate their participation in the Program at any time and later want to resume participation must complete a new application.

2100 Eligibility

Organizations which want to sponsor day care homes must:

- Be a public institution (governmental) or have tax-exemption under 501(c)(3) of the Internal Revenue Code of 1986.
- Ensure that the day care homes they sponsor provide organized, nonresidential child care.
- Maintain required records and documents.
- Accept final administrative and financial responsibility for the Program operations.
- Attend all required TDA training.
- Operate a nonprofit food service.
- Personally manage Program operations, in other words, they may not subcontract the management of Program operations (refer to Section 3000, Item 3140, *Program Management*, for additional information related to subcontracting).
- Provide adequate supervisory and operational personnel to effectively manage and monitor Program operations.

- Restrict their employees from securing additional employment that interferes with their Program responsibilities and duties, i.e., scheduling or conflict-of-interest issues.
- Complete an application for participation, submit all required application documentation and enter into an Agreement with the Texas Department of Agriculture.
- Unmet Need – an organization applying to participate in the Program as a new sponsor, or reapplying to participate after a break in service, must document that its participation will help ensure the delivery of meal benefits to previously un-served day care homes. A “break in service” is defined as any period of time in which an organization does not have a signed and approved Food and Nutrition Division (FND) Permanent Agreement. The Permanent Agreement may have been terminated for cause or by mutual consent.

To demonstrate unmet need, the organization must apply to sponsor only a day care home or homes that have not participated in the Program at any time during the twelve months prior to the date the organization submits their application. The organization must certify the accuracy of this information as provided in its application.

Once an organization is approved to participate as a sponsor, it may add day care homes under its sponsorship regardless of the day care home’s past participation in the Program. Refer to Items 4320, *Adding, Terminating, or Making Changes to Day Care Homes*, 4323, *Open Enrollment* and 4324, *Transfers*, in this handbook for further guidance and requirements.

NOTE: A Native American tribal government that is recognized as a "public entity" or "local government" by Texas state law is considered a public institution for Program purposes and may sponsor day care homes located on a reservation or tribal lands over which it has jurisdiction.

Ineligibility

An organization is ineligible to participate in the Program if:

- A member of the organization’s governing body, an agent, a consultant, a volunteer, or an employee has been convicted of any activity that occurred during the seven years preceding application or renewal that indicates a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity.
- The organization, or a principal within the organization, is on the National Disqualified List (NDL) or the Texas Excluded SFSP List (TEXSL).

- The organization's, or any principal's participation in a publicly funded program was terminated for violating that program's requirements during the seven years preceding application or renewal, and eligibility to participate in that program has not been reinstated.

A publicly funded program is defined as any program or grant funded by federal, state or local government. An organization must submit documentation that demonstrates that the program noncompliance was corrected and that eligibility to participate in that program was reinstated, including repayment of any funds owed if applicable. The organization's application will not be approved without this documentation.

- The organization does not meet the eligibility requirements detailed above.
- The organization does not meet any other criteria as determined by TDA.

2200 Application

2210 Getting Started

Potential CEs will go to TDA's Texas Unified Nutrition Programs System (TX-UNPS) located at <http://TXUNPS.TexasAgriculture.gov>, click on "Interested in applying", and complete the pre-eligibility form to request access to the application. An email with a logon will be sent to the email address provided once the information is processed. Once logged in, the CE will complete all required entries and submit those documents and items needed from the "checklist" menu.

Potential CEs will provide information about their organization and their plan to manage Program operations. The United States Department of Agriculture (USDA) does not allow organizations to hire an outside source to complete the application on their behalf. TDA and the Regional Education Service Centers (ESCs) can answer questions and provide technical assistance throughout the application process. A list of TDA Community Operations Field offices and ESC offices is located in Section 11000, *Resources* of this handbook.

If an organization submits an incomplete or incorrect application, TDA will request that it submit the information needed to complete the application. TDA will notify the organization of approval or denial within 30 calendar days of receipt of a complete application.

Upon approval of its application, the CE will receive a copy of its Permanent Agreement. TDA will not issue payment or reimbursement prior to execution of the Permanent Agreement. Additionally, the CE should notify TDA immediately, via TX-UNPS if it's mailing address changes. This will ensure prompt delivery of the Permanent Agreement and other Program information.

A CE may operate multiple components of the **Program** such as day care homes, child care centers, and adult care centers at any one time. The CE will have a single Permanent Agreement that includes all programs that it administers but **must complete a separate application for centers and day care homes**.

Organizations unable to complete the application online using TX-UNPS may contact TDA at 877-TEX MEAL (877-839-6325) to obtain a paper copy of the application. However, it is highly recommended that organizations obtain access to the internet and submit the application using TX-UNPS.

Potential CEs are encouraged to use the TDA CACFP Handbooks to assist in completing the application process. For example, this section explains eligibility and application requirements, Section 4000, *Managing the Program* explains the day-to-day requirements of Program operation, and Section 7000, *Financial Management* explains the requirements around use, management and documentation of the funds. Each section will assist the potential CE in writing the procedures required to be submitted as part of its management plan.

2220 Management Plan

An important part of the application is the management plan. It must provide detailed information about the organization's administrative structure, including:

- An organizational chart with the names and functions of all officers, agents, consultants, volunteers, and employees of the organization.
- Staff assigned to Program management and monitoring.
- How the organization will:
 - Administer the Program;
 - Recruit and manage additional day care homes ;
 - Pay the Providers it sponsors;
 - Collect information from its Providers;
 - Train administrative staff and Providers;
 - Review the operation of the Program in its day care homes; and
 - Comply with nondiscrimination laws (refer to Section 6000, *Civil Rights*, for additional information).

The management plan is one source used to determine an organization's ability to manage the Program. TDA also uses the management plan to determine how many day care homes an organization will be approved to sponsor.

The following factors may affect this decision:

- Whether the organization is a new sponsor.
- Whether the management plan demonstrates that the organization can only manage a limited number of day care homes.
- Whether the organization operates the Program in a manner suggesting that it can only manage a limited number of day care homes.

If TDA limits the number of day care homes the organization may sponsor, any increase to this limit must be approved by TDA in writing before it will be allowed to sponsor day care homes above the limit.

2221 Publicly Funded Programs

Organizations must provide a list of publicly funded programs in which they currently participate in and participated in during the past seven years.

A publicly funded program is defined as any program or grant funded by federal, state or local government.

Organizations must also certify that during the past seven years neither the organization nor any of its principals have been declared ineligible to participate in any other publicly funded program by reason of violating that program's requirements.

If the organization or any of its principals have been declared ineligible to participate in any other publicly funded program by reason of violating that program's requirements, the organization must submit documentation that demonstrates that organization or principal previously declared ineligible was later fully reinstated in or determined eligible for the program, including repayment of any funds owed if applicable.

2222 Performance Standards

New and renewing CEs must demonstrate in their application that they meet the following performance standards:

- Financial Viability and Financial Management– (V): the CE has the financial resources to meet all the Program's requirements.
- Administrative Capability – (C): the CE has the staffing and expertise to meet all the Program's requirements.
- Program Accountability – (A): the CE has in place internal controls to assure that Program funds for administrative expenses are properly spent.

When providing procedures and processes to document the above, CEs must include the following:

- Who: The person/position responsible for performing the task(s) and who will backup that person in performing that function should the responsible person be unavailable;
- What: A detailed description of the task to be performed to accomplish the Program requirement;
- When: At what time/interval will the task be performed (i.e., daily, weekly, monthly).
- How: A detailed description of how the person(s) are to complete the task to accomplish the Program requirement.
- Where: The location of the written procedures and processes to ensure each position responsible for performing the tasks to accomplish the Program requirements can access them.

2222.1 Financial Viability and Financial Management

To demonstrate financial viability and financial management, the CE must document the following:

1. It has adequate financial resources to operate the Program on a daily basis, has adequate sources of funds to continue to pay employees and suppliers during periods of temporary interruptions in Program payments and/or to pay debts when fiscal claims have been assessed against it. The CE may document this by providing:
 - Three years of comprehensive financial statements that includes a balance sheet, income statement, statement of owner's equity and statement of cash flows. CEs with less than three years of financial history must submit comprehensive financial statements for the amount of time for which they have a financial history (for example, an organization that formed 18 months prior to applying for the CACFP must submit comprehensive financial statements for that entire 18 months), or
 - Three years of audits that meets the Single Audit requirements.
2. Costs funded from Program reimbursement are necessary, reasonable, and allowable. The organization must identify all costs and obtain the required level of approval: prior approval, specific prior written approval and those that require USDA approval.

Organizations can reference Section 7000, *Financial Management* of this handbook, 2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and FNS Instruction 796-2, *Financial Management - Child and Adult Care Food Program*, located at <http://www.squaremeals.org> under CACFP Policy & Handbook, for guidance on determining allowable and unallowable costs, direct and indirect costs and required levels of approval for each cost.

3. Funds will be spent and accounted for in accordance with Program regulations and instructions. (If an administrative review has been conducted, findings related to improper use and/or inadequate documentation of Program funds will be part of determining financial viability.)

NOTE: Other documentation to support financial viability, other than that discussed above, may be requested.

2222.2 Administrative Capability

To demonstrate administrative capability, the CE must document that appropriate and effective management practices are in effect to ensure that the Program operates in accordance with requirements.

In addition, CEs must meet the following criteria as demonstrated through the management plan:

1. CEs are required to have an adequate number and type of qualified staff to ensure the operation of the Program.
 - a. The CE will document in the management plan the qualifications it required/requires of the person designated to perform the following Program functions.
 - i. Direct and manage the Program
 - ii. Train staff and day care homes
 - iii. Determine eligibility (Tier I/II)
 - iv. Financial management
 - v. Review meal counts, menus and attendance records to ensure compliance
 - vi. Purchasing (procurement)
 - vii. Record keeping (maintain records)
 - viii. Enforcement of civil rights requirements
 - ix. Preparation and submission of claims
 - x. Reimburse day care homes
 - xi. Recruitment of day care homes
 - xii. Monitor day care homes

The qualifications required are those the CE required when the employee was hired for his or her position within the organization and must demonstrate that the employee designated to perform the Program function has the ability to perform that function in a manner that ensures Program compliance and integrity.

For example, the person designated to direct and manage the Program might be the sponsor's chief operating officer. The chief operating officer may have been required to have the following qualifications: Bachelor's degree in childhood education and a business management minor or coursework, 7 years' experience including teaching, excellent verbal and written communication skills, highly effective organizational, time-management and multi-tasking skills.

2. Sponsors must employ staff sufficient to monitor all day care homes to ensure compliance with Program requirements and must also have written personnel policies and procedures in place. Sponsors of 50 or more daycare homes must complete item C. Administrative Capability, #4 *Sponsoring Organization Monitoring Staff Information* in the Management Plan section of TX-UNPS.

Note: sponsors that initially apply with less than 50 daycare homes must amend the management plan and complete the above section if and when their sponsorship increases to 50 or more daycare homes.

This provides a method to determine the **minimum** number of staff a CE might need to properly monitor its day care homes. However, if at any time it is determined by TDA that the number of staff a CE has dedicated to monitoring day care home compliance is insufficient the CE will be required to either increase staff or decrease the number of day care homes it sponsors.

3. Sponsors must have written policies and procedures that assign CACFP responsibilities and duties and ensure compliance with civil rights requirements.

Written procedures for each process requested in the Management Plan must be provided and must demonstrate that the organization will be capable of operating the Program. Refer to Item 2222, *Performance Standards*, for more information.

CEs that include labor costs in the budget must also submit a compensation policy that includes at least the minimum information required by FNS Instruction 796-2, *Financial Management-Child and Adult Care Food Program*. Refer to Item 2230, *Budget* for more information on labor costs.

If an administrative review is available, it will be one of the resources used to help TDA determine a CE's administrative capability. Having a "proven track record" is important for an organization to demonstrate this standard.

2222.3 Program Accountability

To demonstrate Program Accountability, the CE must track and monitor its own actions in two areas:

- Program funds – ensure that Program dollars are being spent for the purpose of providing meals and/or snacks that meet Program requirements.
- Meal service – ensure the quality of the meal service, and compliance with Program requirements.

Written procedures must be submitted as part of the Management Plan that demonstrates the organization:

1. Has adequate oversight of the Program by an independent governing board of directors. Refer to Section 9000, *Terms, Definitions and Acronyms*, for the definition of independent governing board of directors.
2. Has a financial system with management controls specified in writing, that tracks:
 - All Program funds and property received, held and disbursed;
 - All Program expenses incurred;
 - Accurate and timely claims processing; and
 - System safeguards and controls to prevent and detect improper financial activities by employees.
3. Maintains appropriate records to document compliance with Program requirements including, but not limited to:
 - Budgets;
 - Accounting records;
 - Approved budget amendments;
 - Training plan; and
 - Monitoring plan.
4. Maintains documentation that demonstrates:
 - Meals meet the CACFP meal patterns;
 - Civil rights requirements are met;
 - Records are complete and maintained on file, (reference Item 4530, *Types of Records*); and
 - Claims are submitted only for eligible meals.

The procedures should be as detailed as possible to ensure TDA staff reviewing the application can clearly understand the processes and procedures being used by the organization to manage the Program. Refer to Item 2222, *Performance Standards*, for more information.

A CE that cannot demonstrate it meets the VCA requirements will not be approved. If an application is denied, the CE has the right to appeal the decision. Refer to Section 8000, *Denials, Terminations and Appeals* of this Handbook for more information.

Governing Body Awareness

Organizations must submit documentation that their independent governing board of directors is aware of the responsibilities and liabilities of participating in the Program.

A *Governing Body Awareness* (GBA) form is available at <http://www.squaremeals.org> for CEs use in submitting the above information.

Additionally, organizations must submit the following information for each member:

- Full legal name;
- Complete home mailing address;
- Complete home street address, if different from mailing address;
- Phone number;
- Date of birth;
- Relationship with any other member or employee of the organization; and
- Compensation, if any, that they receive for services provided to the organization.

CEs can submit the identifying information in TX-UNPS through the Board of Directors screen.

This documentation must be submitted with the application, and whenever changes occur in the members of the governing body, or to the information submitted (for example, a members' home address).

Acceptable documentation includes:

- A copy of the minutes taken at an official meeting of your governing body that documents its decision to participate in the Program and includes:
 - Date of the meeting;
 - Items discussed, including the decision to participate or continue participation in the Program;
 - Names of all governing body members who were present;
 - Names of all governing body members who voted on the action items; and
 - Signature of the Secretary of the Board.
- A written declaration by each member of your governing body that states they are aware of Program responsibilities and liabilities.

NOTE: If all Board Members are not present at the official meeting, a copy of the minutes as well as a written declaration from the member/members not present may be submitted together to document Governing Body Awareness.

EXCEPTIONS: Governing body awareness does not apply to public institutions (such as Governmental, Military, or Indian Reservations).

2223 Free and Reduced-Price Policy Statement

A CE which does not serve meals at a separate charge shall agree to the following free and reduced-price meal policy:

The representative(s) of the contracting entity applying for participation in the Program agree to accept the responsibility of and assure that the contracting entity:

- a. will not physically segregate nor discriminate in any way against any person receiving a free or reduced-price meal benefit and that it will protect the anonymity of these persons and that there will be no overt identification of persons receiving a free or reduced-price meal; and
- b. will serve the same meals or snacks to all Program participants at no separate charge, regardless of race, color, national origin, sex, age, or disability and that there will be no discrimination in the course of the food service.

By agreeing to this statement, the contracting entity assures the Texas Department of Agriculture (TDA) it will uniformly implement the free and reduced-price policy statement in all CACFP day care homes under its jurisdiction. This policy statement is permanent and remains in effect until it is modified by TDA.

A CE that does charge separately for meals must complete and submit with its application the *Free and Reduced-Price Meal Policy Statement (H4515)* and the *Collection Procedures (H4515-A)*.

2230 Budget

A budget may include estimated annual expenses for:

- Labor, including fringe benefits;
- Facilities and Space;
- Supplies and Equipment;
- Purchased Services;
- Financial Costs;
- Media Costs;
- Sponsoring Organization Costs;
- Other Costs; and
- Indirect Costs.

The proposed budget is reviewed to ensure that:

- The Program will not operate at a deficit.
- Individual line items in the budget are:
 - Approved uses of Program funds.
 - Reasonable for the item or service to which the cost is attributed.
 - Necessary for the operation of the Program.

TDA determines the limits of a reasonable budget based on the size of the Program, the duties of personnel, and the economic conditions in the community. TDA may collect budget data from a representative number of organizations to determine if the costs contained in a budget are reasonable.

If budgeted costs exceed the Program reimbursement that the CE might expect, the CE must disclose the source(s) of funds to support the additional expense, and/or disclose the source(s) and amount(s) of funds/income designated specifically for use in the nonprofit food service.

NOTE: Funds designated specifically for use in the nonprofit food service become restricted funds and must be used solely in the nonprofit food service and accounted for according to Program requirements.

If TDA determines that a budget provides insufficient funds to manage the Program (for example, the amount budgeted for travel for monitors appear to low) or that it includes excessive or unnecessary costs (for example, the costs for paper supplies appear too high), the organization will be asked to revise its budget or provide additional information.

Some items of cost cannot be included in the budget prior to the CE receiving specific prior written approval (SPWA) from TDA or FNS Regional Office approval. In the case of costs that require specific prior written approval the CE must submit the cost separately in TX-UNPS by selecting “Request for Specific Prior Written Approval” in applications. After selecting request for specific prior written approval, the CE will select “create a request” and follow the prompts. The CE must upload all supporting documentation before the request can be considered. The CE will receive an automated email that either approves or denies the requests or indicates a need for correction.

Once approved the CE must amend the budget to add the item in the appropriate cost category. If the CE fails to amend the budget to include the cost and uses Program funds, the cost will be disallowed, and the CE will be required to repay the non-profit food service.

NOTE: SPWA is only valid for the Program year in which it was obtained. CEs must request SPWA each year for costs requiring SPWA. The cost and the required supporting documentation cannot be carried forward from one year to the next.

Carry over from previous program year (PY)

Budgets must also account for administrative payments carried over from one PY to the next, if applicable. A CE may carry over a maximum of 10 percent of administrative payments into the next PY. CEs are not required to carry over administrative funds and can enter zero in the “Carry Over from Previous PY” field on the budget document.

When preparing an annual budget, make the best estimate of the carry over amount expected at the end of the year. Since total administrative claims paid in the previous year are used to determine the carryover amount, this process would be applicable to existing CEs as all claims may not have been prepared prior to submitting their annual budget.

Example:

CE Estimates PY 2018

- “Total Anticipated Annual CACFP Reimbursement” (homes times administrative reimbursement rate) \$100,000
- “Total Administrative Costs” \$85,000
- CE may carry over up to \$10,000 in PY 2018 ($\$100,000 \times .10$)
- CE must return \$5,000 to TDA ($\$15,000 - 10,000$)

An amended budget must be submitted once the PY close-out has occurred and the carry over amount is finalized and approved by TDA. See Item 7410, *Administrative Costs*, for more information on PY close-out.

Estimated Residual for Next PY

The budget will also account for estimated residual administrative reimbursement for the following PY. Based on estimated administrative reimbursement and estimated costs the CE will determine how much, if any, residual administrative reimbursement may be left over at the end of the PY. This amount will be placed in the “Estimated Residual for Next PY” column on the budget. When completing the budget for the following PY, CEs may take up to 10 percent of this amount and place it in the “Carry Over from Previous PY” field in the budget, following the guidance above.

A CE’s approved budget will include the level of potential costs approved by TDA and is based on the budget that the organization submits. **The approved budget does not imply in any way that the CE will be reimbursed for the full amount of each budgeted item;** rather it specifies the areas of costs that may be allowable and gives reasonable levels for those costs. If a CE finds that the levels approved in the budget are inadequate, or if TDA determines that a budget amendment is necessary, the CE may amend the budget with approval by TDA for each item.

TDA **will not** approve a retroactive amendment to the budget.

Refer to Section 7000, *Financial Management* and FNS Instruction 796-2, *Financial Management – Child and Adult Care Food Program* for guidance on budgets, levels of approval, allowable costs, and circumstances which cause allowable costs to become unallowable, as well as a list of costs that require specific prior written approval and/or FNS Regional Office approval.

To assist in determining what may be a reasonable salary to budget to the Program for employees that perform Program duties, CEs can use the TDA Compensation Tools for CACFP located at the bottom right of the screen at:

<http://www.squaremeals.org/Programs/ChildandAdultCareFoodProgram.aspx>.

The compensation tools utilize data from the North American Industry Classification System (NAICS) and the Bureau of Labor Statistics (BLS) job categories under the “Social Assistance” industry type to determine the maximum salary range for positions which perform CACFP functions.

2240 Contracting Entity/Day Care Home Operations

In addition to the information contained in a CE’s management plan, checklist items and budget, CEs must submit information about the day care homes they sponsor, including:

- Identifying information: name, address, phone number, date of birth.
- Qualifying information: registration/licensure.

- Operational information: meal service types and times, days and hours of operation, number of non-residential children enrolled, and Provider's choice for distributing income applications and receiving reimbursement.

NOTE: You must include the Provider's complete address including residence street address or rural route and box number. We will accept post office box numbers **only when accompanied by specific, detailed directions to the Provider's residence.**

For complete information on documentation and required information, reference Item 4320, *Adding, Terminating, or Making Changes to Day Care Homes* in Section 4000, *Managing the Program*, of this handbook.

Additionally, CEs must provide a complete physical address of their primary business office where Program records will be maintained and where all essential Program management functions, such as review and approval of menus/meal counts and processing payment of claims for reimbursement will be performed. CEs must submit changes to their application/management plan, including the budget if needed, when there will be a change in the location of their primary business office.

Records must be available for review during normal business hours, which are at a minimum from 8:00 a.m. to 5:00 p.m., Monday through Friday. Additionally, an appropriate representative of the CE must be available to meet with TDA staff with no more than four hours' notice during normal business hours.

CEs must also be available by telephone to their day care homes and TDA. This means that:

- A representative of the organization can be contacted at the primary business office during normal business hours, usually 8:00 a.m. to 5:00 p.m., Monday through Friday.
- The CE must provide a voice mail service and contact, within 24 hours, a Provider or TDA staff member who has left a voice mail message.

Dun and Bradstreet Data Universal Numbering System (DUNS)

Non-federal agencies and organizations that do business with the Federal government must use the Dun and Bradstreet Data Universal Numbering System (DUNS) as their identifier.

The DUNS number will not replace the Employer Identification Number (EIN), but will become an identifier for a non-federal entity to apply for funding under a Federal assistance program.

The DUNS number is a nine-digit number issued by Dun & Bradstreet to each business located in the Dun & Bradstreet database having a unique, separate, and distinct operation. The DUNS

number is random and the digits have no apparent significance. It is a tool of the federal government to track how federal money is distributed.

To obtain a DUNS number, free of charge, call Dun & Bradstreet using the toll-free number, 1-866-705-5711 and indicate that you are a Federal grant applicant/prospective applicant. You can also request a DUNS number on-line by accessing the following website at:

<http://fedgov.dnb.com/webform>. Please be advised the waiting period to obtain a DUNS number can be anywhere from 24 to 72 hours, or several weeks, so organizations should request their numbers as soon as possible.

Organizations applying for participation in any of the Child Nutrition Programs must obtain and provide to TDA their DUNS number.

2241 Licensing and Registration

At the time of application, the CE must provide documentation that each day care home is licensed to operate, either through the:

- Texas Health and Human Services Commission (HHSC) (formerly Texas Department of Family and Protective Services (DFPS));
- Military installation; or
- Indian reservation.

NOTE: Providers who are "Listed" and not registered or licensed are not eligible to participate in the CACFP.

HHSC Licensing and Registration

When a **licensed** Provider changes location but has not been licensed at the new location, the Provider is ineligible to participate in the Program. Program regulations require Providers to maintain a current license to offer day care services to children.

If a Provider notifies HHSC in advance of a move, HHSC Child Care Licensing may issue a "temporary" license at the new location pending a determination of whether a permanent license can be issued. A Provider may participate in the Program with a "temporary" license.

A **registered** Provider who changes location may continue to operate under their current registration, if the Provider notifies HHSC within 15 calendar days of a move. If the Provider is a new Provider the CE is adding under their sponsorship, and does not yet have the new registration, the CE can submit the current registration with a notation of the date the Provider changed location, but must provide the new address in the Provider application.

If a Provider fails to notify HHSC within 15 calendar days of a move or is otherwise ineligible for an amended registration at the new location, HHSC will send written notice of revocation to the Provider. During the revocation process, a Provider remains eligible to care for children and, therefore, eligible for the Program until all appeal rights are exhausted.

If HHSC officially revokes the Provider's registration, the Provider is ineligible to care for children and, therefore, is ineligible to participate in the Program.

Reference Section 4000, Item 4320, *Adding, Terminating, or Making Changes to Day Care Homes* of this handbook for further information on requirements.

Documentation of Licensure

Documentation of licensure or registration shall be a copy of the license or registration issued to the Provider by HHSC, or a copy of the certification/license issued by the military installation or Indian reservation.

If a day care home has been approved to care for children by HHSC Licensing but has not yet received a copy of its license, a CE may request approval for participation in the Program by submitting alternate documentation, as described below.

Acceptance of alternate documentation shall not relieve a CE of the requirement to submit a copy of each childcare center license.

TDA will suspend the option to approve a CEs Providers based on the alternate documentation procedure for any CE that:

- Fails to submit copies of licenses within a reasonable time following submission of alternate documentation; or
- Establishes a pattern indicating a failure to make a good faith effort to obtain licenses prior to requesting approval according to the alternate documentation procedure.

Alternate HHSC Documentation

A CE may submit a print screen from the HHSC website as temporary proof of license/registration for a Provider, if the Provider has not yet received their license/registration from HHSC. The print screen can only be used temporarily, and the copy of the license/registration must be submitted to TDA immediately upon receipt.

CEs that do not receive a copy of the license from the day care home must contact the Provider or HHSC within 3 months of submitting the print screen to TDA to obtain the license or obtain a status on the license.

To access the HHSC website and obtain a print screen follow the instructions below:

Log on to www.dfps.state.tx.us.

Select “Child Care Licensing” from the menu on the left-hand side of the screen.
Select “Search Texas Child Care” from the menu on the left-hand side of the screen.
Select “Search for a Day Care” from the selections in the middle of the screen.
Enter applicable information and print the results.

CEs may also use a print screen for **licensed** day care homes that have changed location but have not yet received their new license, as long as the print screen has the address of the new location.

Under those circumstances, the Provider would continue to be eligible to claim meals; however, if the address has not been updated and the print screen still has the old address, the Provider would not be eligible to claim meals.

A sample of what the print screen would look like is located in Section 11000, *Resources*. The print screen must have the HHSC logo and name at the top.

TDA staff will verify the information submitted by the CE and if TDA determines that the print screen provided is not from the HHSC website, or has been altered by the CE, the CE will be placed in the serious deficiency process for falsifying government records.

NOTE: A temporary license or registration will satisfy this documentation requirement until the expiration of the temporary license or registration or until a permanent license or registration is received.

2241.1 Weekend Care

If a CE approves a Provider to claim meals during weekend care, the CE must:

- Ensure the Provider is licensed to operate on weekends.
- Document the approval of the Provider to participate during weekends on the Provider Application.
- Monitor the Provider's weekend participation.

2241.2 Minimum Standards

Day care homes must adhere to all applicable State and Federal rules, regulations, policies and procedures concerning minimum standards for day care homes.

The rules and regulations issued by the HHSC are located at www.dfps.state.tx.us, select Child Care Licensing, and then select “Minimum Standards for Registered and Licensed Child-Care Homes”.

HHSC requires Providers to notify them in advance and be approved before making changes (reference HHSC Minimum Standard §747.301) to the hours, days or months it will operate, in addition to other changes.

TDA will not approve meals/snacks and weekend participation if the hours of operation and/or days of operation listed by the CE on the Provider application do not match the approved hours, days and months listed for the Provider on the HHSC licensing website.

TDA will report any day care home violating licensing rules, including requirements regarding meals and snacks, to HHSC for investigation. Additionally, sponsoring organizations that become aware of a day care home they sponsor violating licensing rules, including requirements regarding meals and snacks and hours, days and months of operation, must report that Provider to HHSC for investigation.

2242 Tax Exemption

Organizations must have received and must maintain tax-exempt status from the U.S. Internal Revenue Service (IRS), either individually or as part of a group ruling.

If an organization acquired tax-exempt status under a group ruling, you must submit proof of its affiliation with the parent organization that was given tax-exempt status.

Organizations that lose their tax-exempt status are not eligible to participate in the Program. Failure of an organization to notify TDA of loss of tax-exempt status and voluntarily terminates its Permanent Agreement and will result in the organization’s placement in the serious deficiency process.

EXCEPTION: Churches are not required to provide proof of tax exemption; however, an organization must ensure that it qualifies as a church according to IRS publications 557, Tax Exempt Status for Your Organization and 1828, Tax Guide for Churches and Religious Organizations. Organizations that represent themselves as a church and do not meet the qualifications of a church will be required to submit proof of tax-exempt status.

Reasons Organization's Lose Tax-Exempt Status

Most organizations lose tax-exempt status due to failure to file an annual form 990 (990, 990-PF, 990-N (also known as the e-Postcard), or 990-EZ) series information return for three consecutive years. However, organizations can also lose tax-exempt status due to:

- A material change in the character, purpose or method of operation of the organization which is inconsistent with exemption;
- Enactment of legislation or ratification of a tax treaty;
- Any other reasons determined by the IRS.

Organizations must ensure compliance with the 990 filing requirements, including small tax-exempt organizations whose gross receipts are normally \$50,000 or less. The Pension Protection Act of 2006 (PPA) requires organizations whose gross receipts are normally \$50,000 or less to annually file Form 990-N, also known as the e-Postcard unless the organization chooses to file Form 990 or 990-EZ.

Additional information about tax-exemption and the filing requirements can be found at www.irs.gov.

2250 Pre-Award Civil Rights Compliance Reviews

A new CE must submit information related to its compliance with applicable nondiscrimination laws using the *Pre-Award Civil Rights Compliance Review* form located in download forms in TX-UNPS. Refer to Section 6000, *Civil Rights*, for additional information.

2260 Advance Payments

An advance payment is financial assistance made available to a CE for its Program costs prior to the costs being incurred. An advance is based on what TDA or the CE **estimates** its reimbursement will be and must be repaid by the CE.

Advances for the current PY are recouped from the July and August claims filed by the CE. If the July and August claims are not sufficient to recoup the advances, TDA will continue recouping the advances from the subsequent claims. Advances for the next PY will not be issued until all outstanding advances are repaid.

Organizations are urged to carefully consider their choice in receiving advances. TDA cautions organizations from choosing advances as overestimating participation and fluctuations in participation could result in reimbursement being less than the amount of advances given and the organization owing a debt for unearned advances at the end of the PY.

Reminder: A CE that owes advances at the end of the PY will not be eligible to receive advances the next PY until the debt has been repaid.

If an organization intends to request advance payments, its application, and all required documentation, should be submitted at least 60 days before the first day of the month in which it wants to begin participating in the Program.

An organization may request advance payments or may choose not to receive advance payments. Receipt of advance payments is not required for participation in the Program.

A CE that requests advance payments may request discontinuation of the advance payments at any time by submitting a written request, including the month in which it wants to discontinue advances. Requests to discontinue advances should be submitted at least one month in advance to ensure the request is processed before the CE receives any further advance payments.

Requests to discontinue advances should be submitted at least one month in advance to ensure the request is processed before the CE receives any further advance payments.

Written requests may be submitted via:

- email to CACFP.Bops@TexasAgriculture.gov;
- fax at (888) 232-2759;
- mail to the Texas Department of Agriculture, Attn: Business Operations – Advances, P.O. Box 12847, Austin, TX 78711; or
- overnight delivery to the Texas Department of Agriculture, Attn: Business Operations – Advances, 1700 N. Congress Ave., Austin, TX 78701.

Failure to return unearned advance payments may result in adverse action including placement in the serious deficiency process, termination of your Permanent Agreement, and referral for criminal prosecution.

Advances are not issued for the months of September and October of each year.

2270 Audit Compliance

Organizations must complete the *Annual Audit Form* (in TX-UNPS or via paper) certifying that it will obtain an audit if it meets the single audit requirements.

Refer to Item 5400, *Audits*, for specific information related to audit requirements, including for-profit organization audit requirements.

2300 Performance Bond

Non-governmental organizations with fewer than three years of successful administrative and financial history within the preceding seven years must submit a performance bond with their application to insure against misuse of federal funding. The bond must be obtained from an approved surety company listed in the most recent publication of the U.S. Treasury Department's Circular 570.

A letter explaining the bonding requirement and a standard bond form are provided in the download forms screen in TX-UNPS as well as the forms section of the TDA website. Organizations must present the letter to the surety company and complete the bond form following the attached instructions.

Organizations subject to the bonding requirement must submit a performance bond with the initial application, and a Continuation Certification (if applicable) with each renewal application until relief is granted from this requirement.

2310 Amount of a Performance Bond

The amount of the performance bond will be determined by the organization's anticipated enrollment and the sum of the following formula for each meal type the organization intends to claim:

$(\text{Total enrollment}) \times (\text{Current Tier I Reimbursement Rate for Meal Type}) \times 90$

Example: An organization has two daycare homes with a combined enrollment of 12 children. Both homes intend to claim a breakfast, snack and lunch. Tier I reimbursement for breakfast is \$1.31, snack is \$.73 and lunch is \$2.46.

$12 \text{ (total enrollment)} \times \$4.50 \text{ (combined Tier I rate for each meal type)} \times 90 = \$4,860.00$

The organization would have to obtain an initial bond in the minimum amount of \$4,860.

Organizations must increase the bond amount based on the following:

- Enrollment or reimbursement increases by 50% of the original anticipated enrollment or reimbursement;
- Each time the enrollment or reimbursement increases by 50% of the actual participation or reimbursement from the time the bond was last increased.

NOTE: The reimbursement rates used in the example above are not the actual rates and are only used for illustrative purposes. CEs must ensure they use the current reimbursement rates when calculating the amount of performance bond needed.

The increase in the bond amount must be made and submitted to TDA within 45 days of the increase in enrollment or reimbursement.

A sponsor may submit a written request to decrease the amount of the bond if the sponsor experiences a significant decrease in enrollment or reimbursement.

NOTE: An organization that operates **all daycare homes** two days per week or less may submit a written request during initial application to TDA requesting a reduced performance bond amount. The organization's written request must include: (1) the number of day care homes it operates; (2) the number of days per week each home will operate; (3) the meal type(s) each Provider will be serving; and (4) the number of children enrolled for care at each day care home.

Written requests may be submitted via:

- email to CACFP.Bops@TexasAgriculture.gov;
- fax at (888) 223-8645;
- mail to the Texas Department of Agriculture, Attn: Business Operations – Applications, P.O. Box 12847, Austin, TX 78711; or
- overnight delivery to the Texas Department of Agriculture, Attn: Business Operations – Applications, 1700 N. Congress Ave., Austin, TX 78701.

2320 Relief from the Bonding Requirement

A CE that was required to obtain a performance bond at application that can subsequently demonstrate that it has accumulated three years of successful administrative and financial history may request relief from the bonding requirement by submitting a written request for relief. A CE may make the written request for relief from the bonding requirement when submitting the annual application to renew its participation.

Successful participation in the Program will be considered in determining the approval or denial of a request for relief.

NOTE: The request for relief from the bonding requirement will be denied if a CE has an outstanding financial obligation to TDA.

2330 Cost of Obtaining a Performance Bond

The initial cost of obtaining a performance bond to meet TDA requirements may be an allowable cost if the cost is incurred the same month in which participation is approved. The cost of maintaining and renewing a bond required for continued participation in the Program is allowable. The cost must be included in the CEs approved budget.

2400 Provider Appeal Procedures

Providers must be given the opportunity to appeal any adverse action(s) that negatively affects their participation in the Program.

CEs must develop and submit to TDA the appeal procedures. The appeal procedures developed must apply to all Providers under the organization's sponsorship. Any changes in the appeal procedures must be submitted to TDA prior to implementation.

The appeal official(s) must be independent and impartial. Although the appeal official(s) may be an employee or board member of the CE's organization, he/she must not have been involved in the action that is the subject of the appeal or have direct personal or financial interest in the outcome of the appeal.

Refer to Section 8000, *Denials, Terminations, and Appeals*, for additional information related to Provider appeal procedures.

2500 Additional Information

2510 Disqualification

USDA maintains a list of organizations and individuals disqualified from participation in the Program, known as the National Disqualified List (NDL). TDA maintains a list of organizations and individuals excluded from participation in the Summer Food Service Program (SFSP), known as the Texas Excluded SFSP List (TEXSL).

Organizations and individuals on the NDL and/or the TEXSL are **not** eligible to participate as a CE, site, day care home, or as an employee in any CE's operation in which they perform Program activities.

Additionally, individuals on the list may not hold any management (principal) positions within an organization, whether or not they perform Program activities. Management positions include, but are not limited to, board member, director, owner, co-owner and partner.

Organizations and individuals placed on the list by TDA will remain on the NDL until such time as USDA, in consultation with TDA, determines that the serious deficiencies have been corrected, or until seven years after their disqualification. However, if any debt relating to the serious deficiencies has not been repaid, they will remain on the list until the debt has been repaid.

Organizations can request access to the NDL at:

<https://snp.fns.usda.gov/ndlweb.Welcome.action>

CEs must check the lists:

- Prior to hiring any employees who will hold any management position within the organization or perform Program activities; and
- Prior to signing an agreement with a Provider.

It is also recommended CEs check the lists periodically to ensure current staff in management positions or performing Program activities, or Providers were not added to the list after being hired or added to the CEs sponsorship.

Links to the USDA NDL are also located at <http://www.squaremeals.org> under “Child and Adult Care Food Program” on the right hand side of the screen and in the “download forms” screen in the Texas Unified Nutrition Programs System (TX-UNPS)

NOTE: The Texas Excluded SFSP List (TEXSL) is located in download forms in TX-UNPS.

2520 Background Checks

During the application process, and at any time during an organization’s participation in the Program, TDA may conduct background checks on each principal of a non-governmental organization to determine if any principal has a criminal history that would make the organization ineligible to participate in the CACFP.

Criminal history that would meet this criterion includes a criminal conviction in the seven years preceding the date of application (or date of background check) that indicates a lack of business integrity including, but not limited to:

- Fraud
- Anti-trust violations
- Embezzlement
- Theft
- Forgery

- Bribery
- Falsification or destruction of records
- Making false statements
- Receiving stolen property
- Making false claims
- Obstructing justice

Organizations must certify to the truth of the information submitted with the application for participation in the Program. Failing to disclose a criminal history that meets the criteria above would result in the organization's placement in the serious deficiency process. Refer to Section 10000, *Serious Deficiency* for more information.

2530 Government Issued Identification

Organizations must submit a form of government issued identification that contains a picture as well as proof of residential mailing address for each principal of the organization. A combination of identification can be used to achieve this requirement.

Acceptable forms of government issued identification include:

- Drivers' license or personal identification card issued by the Texas Department of Public Safety, or a similar document issued by an agency of another state, regardless of whether the card or license has expired,
- Military identification,
- Valid US Passport,
- Any other form of proof approved by TDA.

Acceptable documentation to prove residential mailing address includes:

- Drivers' license,
- Official mail addressed to the person's current address, by name, from a utility Provider or government agency or bank,
- Current, valid voter registration card,
- A lease (that has not expired) executed by the individual,
- Any other form of proof approved by TDA.

If at any time during participation principals within the organization change, the above information must be sent to TDA for the new principal(s).

EXCEPTION: This requirement does not apply to public institutions (such as Governmental, Military, or Indian Reservations).

2540 Amendments

A CE's application/management plan and signed Permanent Agreement can only be amended with TDA's approval. There are two types of amendments: universal and contracting entity-specific.

2540.1 Universal Amendments

Universal amendments are modifications to the terms and conditions of the Permanent Agreement that apply to all CEs, including amendments that are specific to a particular program, regardless of whether a particular CE has been approved to participate in that program. Universal Amendments are initiated by TDA.

Failure to return a universal amendment could result in placement in the serious deficiency process. Refer to Section 10000, *Serious Deficiency* for additional information.

2540.2 Contracting Entity Specific Amendments

Contracting entity specific amendments are limited to:

- Adding participation in a TDA-administered program;
- Deleting participation in a TDA-administered program;
- Changing the name of the organization in which the EIN remains the same under the existing Permanent Agreement; or
- Changing the name of the organization in which other documentation establishing its legal identity remains the same under the existing Permanent Agreement.

Whenever necessary, TDA will amend the FND Permanent Agreement using an "amendment form" to indicate the CEs current participating status and/or organization name.

EXAMPLE (adding a program): If a CE is approved to participate in the Summer Food Service Program (SFSP) and later applies to participate in the Child and Adult Care Food Program (CACFP), the CE will complete the amendment form available both on SquareMeals and in TX-UNPS under download forms. The CE will sign the form and return it to TDA. A signed copy will be returned to the CE for its files.

EXAMPLE (name change): If a CE notifies TDA that the name of its organization has changed, but the EIN, or other documentation establishing its legal identity has not, TDA will enter the new name of the CE on an amendment form and send it to the CE that will then sign the form and return it to TDA. Upon receipt and approval of the signed amendment form, TDA will sign the form and a copy will be returned to the CE for its files.

These amendments can be initiated by either TDA or the CE. An amendment initiated by a CE to add or delete a program can be withdrawn. The CE may decide not to participate in the program being added or continue participation in the program being deleted. If a CE decides to withdraw the amendment, it must inform TDA in writing.

Failure to return a contracting entity-specific amendment, or to notify TDA it intends to withdraw the action, could result in placement in the serious deficiency process. Refer to Section 10000, *Serious Deficiency* for additional information.

2540.3 Application/Management Plan Changes

The Permanent Agreement stipulates that a contracting entity (contractor) will perform according to its application, supporting documents, and approved amendments. Therefore, approved changes to the application and management plan do not require an amendment to the Permanent Agreement.

A CE must submit changes as they occur to ensure TDA has the most current information on its Program operation, including budget amendments that do not change the actual amount of the total budget.

EXAMPLE: If a CE wants to increase its expenditure on facilities and space by an additional \$100 per year and reduce expenditures on media costs by \$100 per year, TDA must approve the proposed changes for each cost category in advance even though the total amount of the budget would remain unchanged.

CEs will request changes to its application and management plan, or changes to its Provider's application, through TX-UNPS. If necessary, CEs will also upload information or mail it in to complete the change request.

CEs must maintain a completed Provider application for each change submitted on behalf of a day care home, either through TX-UNPS or via paper as well as provide a copy to the Provider.

NOTE: CEs can make amendments to the provider application on behalf of their participating day care homes without first obtaining the Provider's signature. Copies of the provider application must be maintained with the Program files, and copies must be sent to the Provider for his/her files.

For other documentation required for day care homes reference Section 4000, Item 4320, *Adding, Terminating, or Making Changes to Day Care Homes* in this handbook.

For those CEs that do not have access to the Internet or to TX-UNPS, changes may be submitted by contacting TDA for a paper version of the applicable section(s) in TX-UNPS and mailing, faxing or emailing it to TDA.

Claims for reimbursement may be delayed or negatively affected if a CE fails to properly request changes in advance.

2600 Training

There are mandatory training requirements for both current and potential CEs in the Program.

The organization will receive a training certificate after a representative of the organization successfully completes the training. Certificates are awarded in the name of the organization, rather than in the name of an individual who completes the training and are not transferrable. The organization must retain the training certificate with its Program records.

NOTE: Training expenses are an allowable expense if they are included in the CE's approved budget.

Potential Contracting Entity Training

A representative of the organization must complete *Introductory Training for New CACFP Contractors* as part of the application process, before its application to participate can be approved and a Permanent Agreement can be executed.

To locate *Introductory Training for New CACFP Contractors*, check the TDA website at <http://www.squaremeals.org>. Select the F&N Resources from the menu at the top of the screen, choose training, and then select *Introductory Training for New CACFP Contractors* and complete the applicable training.

When a representative completes the training session, they will receive a training certificate. The organization may be asked to submit the training certificate along with any other documents requested to complete its application.

If the organization's representative fails to complete the entire training session, they will not be given a certificate of training. A representative of the organization may enroll in the next regularly scheduled *Introductory Training for New CACFP Contractors*. The application will not be approved until this training is completed.

It is recommended that the representative who receives the training be the Executive Director, or other high ranking official and be able to provide training to all persons in the organization who will have Program responsibilities, as well as train Providers under its sponsorship.

If ...	Then ...
The organization previously participated in the Program, but withdrew for any reason,	A representative of the organization must complete <i>Introductory Training for New CACFP Contractors</i> prior to resuming participation in the Program.
The organization experienced a complete legal identity change and the principal staff changed,	A representative of the new organization must complete <i>Introductory Training for New CACFP Contractors</i> prior to approval for participation in the Program.
The organization had a name change, but the Employer's Identification Number (EIN), or other documentation establishing legal identity remained the same, and the principal staff did not change,	The organization would not be required to attend <i>Introductory Training for New CACFP Contractors</i> again.
The organization experienced a complete legal identity change but the principal staff did not change,	The organization would not be required to attend <i>Introductory Training for New CACFP Contractors</i> again, unless TDA determines the training would be helpful.

NOTE: Training can be completed prior to application submittal; however, it is only valid for one year from the date of the training. An organization that does not submit its application to TDA before the year expires will have to attend the training again.

Mandatory Contracting Entity Training

After your application is approved TDA may require that a representative of the CE attend one or more mandatory training sessions during each PY. CEs will receive notification of any mandatory training they will be required to attend. Refer to Item 4330, *Training*, for additional information related to annual training requirements.

Staff Training

CEs must train each staff member before they assume any Program duty and must document its procedure in the management plan. Further, CEs must train each staff member during each PY thereafter. CEs must document the training and retain this documentation with their records. Refer to Item 4330, *Training*, for specific information.

2700 Visits Prior to Approval

TDA conducts visits to organizations that are not currently participating in the Program, prior to approval of an application and execution of the Permanent Agreement.

The purpose of the visit is to:

- Provide technical assistance;
- Assess the potential CE's ability to successfully manage and operate Program activities;
- Verify the information submitted in the application and supporting documents; and
- Verify the resources that are dedicated to successfully managing Program activities.

NOTE: Inconsistencies between TDA's observations and the information that was submitted with the application and/or during the visit could result in the denial of the application, and/or placement in the serious deficiency process.

2800 Application Renewal

The CACFP PY corresponds with the federal fiscal year, October 1 - September 30. A CE is required to submit an application each year. However, the information provided on certain checklist items is routinely valid for a longer period. As a result, TDA may retain documents from a prior PY, thereby reducing the number of items that a CE must submit for additional program years.

Additionally, some information in TX-UNPS will "roll-over" each PY, and some information will not. The information that rolls-over must be reviewed and updated by the CE as needed. The information that does not roll-over will need to be re-entered by the CE. Failure to complete all items will delay the renewal process and could result in termination.

CEs with less than two years participation in the Program and/or those that experienced operational issues (for example, placement in the serious deficiency process at any time in the prior three program years, owe a debt to TDA, in the claim validation process) will be required to submit significantly more information during the renewal period. TDA will identify these CEs prior to renewal and notify those CEs via email of their renewal requirements.

CEs that do not have access to the Internet or to TX-UNPS may submit the renewal application via manual methods. Start by requesting a paper copy from TDA at 877-TEX MEAL (877-839-6325). Complete the paper forms and mail, fax or email them to TDA. Please note that submitting a renewal via paper forms may delay the renewal process.

2900 Forms

CEs may obtain TDA provided forms online by accessing the TDA website at <http://www.squaremeals.org>. CEs will be notified via the TX-UNPS bulletin board or other means when a form has been revised and posted on the website.

Most forms (for example, *Certificate of Authority*) are posted in both Word and PDF format. A few forms may be in Excel. If a CE is having problems printing a form in one format, TDA recommends using another format. The problems a CE could experience might be due to the printer settings of the individual user's computer or printer. In such cases, contact the CE's Information Technology (IT) department or the support service for the specific type of software, hardware, or printer.

TDA also provides some sample forms, in word format only, in Section 11000, *Resources*, of this handbook. If a CE is unable to print these forms correctly, TDA recommends using the copy and paste process. Copy the form and paste it into another word document and format them in a way that works with current printer settings being utilized.

Although TDA is committed to helping CEs operate a successful Program, TDA cannot correct individual user issues with software or hardware.