

Termination and Appeal Procedures for Institutions

PURPOSE: To revise the procedure used by the Indiana Department of Education, Division of School and Community Nutrition Programs when terminating an institution from participation in the Child and Adult Care Food Program (CACFP).

SCOPE: Institutions participating in the Child and Adult Care Food Program.

DESCRIPTION: The following procedure will be used by the Indiana Department of Education, Division of School and Community Nutrition Programs when terminating an institution from participation in the Child and Adult Care Food Program:

The institution will be sent a *Notice of Intent to Terminate*, which will inform the institution of its right to request an appeal. Program payments will NOT be withheld during the appeal process. Reimbursement for eligible meals and allowable administrative cost will continue to be paid to the institution (provided that appropriate records to support the claim are available) pending the outcome of the administrative review.

The exception will be when the State agency determines that participants at the institution face an imminent threat to their health or safety, or when the institution's activities pose an threat to public health or safety. In these cases, the State agency may immediately suspend Program operation without providing the institution the opportunity to take corrective action. The State agency must still offer the institution its appeal rights, but shall not make Program payments pending the outcome of the appeal.

SOURCE: FY 2001 Child and Adult Care Food Program Policy Memorandum #1.