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Michael F. Easley, Governor

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**CACFP 03-06**

**April 11, 2003**

**TO: Sponsoring Organizations Participating in the Child and Adult Care Food Program**

**FROM: Arnette Cowan, MS, RD, LDN  
Head, Special Nutrition Programs**

**SUBJECT: Implementation of Interim Rule: Monitor Staffing Standards in the Child And Adult Care Food Program (CACFP) [§§226.16(b)(1), 226.6(b)(18)(ii)(B), and 226.6(f)(2)]**

The purpose of this memorandum is to transmit guidance concerning proper implementation of Public Law 106-224. Specifically, the guidance concerns the statutory mandate that FNS establish rules requiring sponsoring organizations to “employ an appropriate number of monitoring personnel based on the number and characteristics” of the facilities operated by the sponsor. That mandate was implemented in §§226.16(b)(1), 226.6(b)(18)(ii)(B), and 226.6(f)(2) of the interim rule published on June 27, 2002.

The enclosed guidance makes several changes and clarifications to the information on monitor staffing standards.

In summary, the attached guidance:

- A. Extends the official deadline for implementation. The deadline has been extended for implementation of this provision, from July 29, 2003 to October 1, 2003.
- B. Re-emphasizes which sponsors are subject to this requirement. Although all sponsors are subject to the regulatory requirements at § 226.15(d) to have adequate staff devoted to “management and monitoring of the Program”, only sponsors of more than 50 homes or of more than 25 centers must meet the Federal staffing standards set forth at § 226.16(b)(1).
- C. Explains how to calculate and document the number of full-time equivalent staff (FTEs) that a sponsor devotes to monitoring. This portion of the guidance explains how to calculate and document FTEs. It also clarifies that an individual monitor may be responsible for more than 150 homes, while the sponsorship as a whole still falls within the prescribed ratio, and that the ratio should be determined with reference to the sponsor’s number of claiming homes, as opposed to the number of its approved homes.
- D. Expands and clarifies the definition of what constitutes a monitoring-related function, for the purpose of determining the FTEs devoted to monitoring.
- E. Provides State agencies with suggestion regarding the development of the “State staffing factors” required at § 226.6(f)(2) of the interim rule.



- F. Outlines the procedures to be used by sponsors and State agencies in requesting one-year waivers of this regulatory requirement, and explains the criteria we will use for approval of such requests. This guidance provides detailed information on submission procedures and approval criteria.

We are aware that the initial implementation of this provision may be difficult. Therefore, we strongly urge sponsors to begin work on this requirement now, to avoid a logjam of paperwork at the end of the current fiscal year.

We recommend that sponsors use this guidance to begin analyzing their current level of monitor staffing. The current-year (Fiscal Year 2003) budget and management plan should be reviewed to determine the sponsor's current allocation of resources. If the sponsor does not already have a way of documenting the percentage of time that each staff person devotes to monitoring-related functions, a method of documentation (such as job descriptions with the number of hours and percentage of time each staff person will devote to monitoring) will need to be developed, so that the sponsor can convert this information into monitoring-related FTEs.

Sponsoring organizations with questions concerning this memo or the enclosed guidance should contact their regional consultant. Regional consultants may seek further clarification from the Raleigh office.

Enclosures

cc: SNP Staff  
Auditors