

### 3 Year Record Keeping Requirements

On February 24, 2009, USDA reaffirmed the requirement that family child care providers keep 3 full fiscal years worth of records in their homes, to be made available for state and federal reviewers. For more information, see the memo:

<http://www.fns.usda.gov/cnd/care/Regs-Policy/policymemo/2007-2009/CACFP03-2009.pdf>

Many Sponsors have asked exactly how Minute Menu can help with this regulation. The answer to that question depends on the exact way a provider keeps their records:

- Scannable Forms users
  - All Minute Menu forms are two-part No Carbon Required (NCR) forms. The second part clearly states “Providers Copy”.
  - The Minute Menu Scannable Forms Provider Training Workbook advises the provider to keep this copy for their record.
  - As long as providers keep these records, you’re in compliance. If they are throwing these forms away, then you have a problem.
  - We recommend that you give your providers some sort of binder and instruct them to keep their forms in that binder. It should be large enough to last a year, and you could offer a replacement binder each additional year so that they put the old binder in a place for safe keeping.
  - It’s important to understand the purpose of this regulation is to detect irregularities between the provider & sponsor version of the same forms. So if you modify a scannable form in the office to fix a mistake, be sure to highlight it or in some other way note this. This is consistent with the training you should have received from Minute Menu staff when you began using Minute Menu, and which is offered at our annual training conference.
  - Some providers will not keep these paper records. So during site visits, if you discover forms are missing, you should make an effort to get copies of your version of the forms back to the provider.
  - In any case, talk to your state agency about appropriate actions to take in the event a provider has not kept her paper records.
- Manual Forms users
  - Make sure all your forms are NCR so that the provider keeps a copy. This includes menu, attendance/meal count, and enrollment forms.
  - See the above Scannable Forms section, as your procedures would be nearly identical for Manual Forms providers.
- WebKids / Minute Menu Kids users
  - Records are kept on-line and available for at least 3 full years, consistent with our published privacy & data management policy. (See: [http://www.minutemenu.com/web/mmcenters\\_privacy.html](http://www.minutemenu.com/web/mmcenters_privacy.html))
  - A provider can re-print her menu & attendance/meal count information at any point. Electronic records are sufficient for program regulations, so this should be sufficient for your providers – so there’s no need for them to keep paper backups.

- For enrollment forms (and annual enrollment renewals), there is no digital signature process from the parents. So copies of these with the parents' signatures must be kept in the providers' homes. At the end of the WebKids child enrollment process, providers are told to print a copy, have the parent sign it, and send it to the office. They are also told to print a copy, have the parent sign it, and keep it for their records. (And they are told to print a copy to give to the parent to keep, as well).
- When you send broadcast messages each year with instructions for providers related to the annual child re-enrollment process, be sure to include instructions for printing two copies that parents will sign, one that they will keep in the home.
- Providers who have been terminated or drop off your food program are typically denied access to WebKids within 3 months of their removal. These providers are not typically visited during state agency or USDA reviews, so they should not be an issue. But temporary access can be re-instated if they must have access to these records for audit purposes.