




STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Child and Adult Care Food Program Sponsors

FROM: John D. Frassinelli, Chief 
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: May 13, 2019

SUBJECT: **Operational Memorandum No. 3A-19, 4C-19 and 4H-19**
Permanent Agreement (ED-099) to Participate in the Child Nutrition Programs

The Child and Adult Care Food Program (CACFP) regulations at [7 CFR §226.6\(b\)\(4\)](#) require state agencies (SAs) to enter into a permanent written agreement with each institution that has been approved for CACFP participation. The term “permanent” means only that the agreement has no predetermined expiration date and does not need to be renewed; it does not eliminate the need for an institution to comply with periodic reapplication provisions. Additionally, the agreement may be:

- amended as necessary to ensure compliance with federal requirements;
- terminated for convenience by either the institution or the SA in accordance with CACFP regulations; and
- terminated for cause by the SA if the institution fails to adhere to CACFP requirements.

The Connecticut State Department of Education (CSDE) has revised the ED-099 form, Agreement for Child Nutrition Programs (“Permanent Agreement”), to reflect all Child Nutrition Programs currently administered by the CSDE, including the National School Lunch Program, School Breakfast Program, Food Distribution Program, Summer Food Service Program, and CACFP. The new Permanent Agreement is more robust in its language to outline the responsibilities of both the CSDE and participating institutions. Therefore, the previous version of this form is obsolete. All CACFP institutions that wish to continue CACFP participation **must** enter into a new agreement with the CSDE.

In the near future, the CSDE will e-mail an individualized prefilled Permanent Agreement to each CACFP institution’s designated contact person, as listed in the Sponsor Application portion of the 2018-19 “Application Packet” in the CSDE’s [Connecticut Online Application and Claiming System for Child Nutrition Programs](#) (CNP System).

The last page of the Permanent Agreement designates the two representatives (responsible principals/responsible individuals) who are authorized to enter into such Agreement with the CSDE and certify (submit) monthly reimbursement claims. Approval from the institution’s governing body (Board of Directors) must occur to execute this new Permanent Agreement, and designate the authorized signers. This must occur in order for institutions to submit claims and avoid reimbursement delays.

The last page of the Permanent Agreement contains four areas that must be completed. These areas are listed below.

- The **date** of the board meeting is when the governing body of the CACFP institution (e.g., Board of Directors) took action to designate both of the authorized signers.
- Under number 1, **signature 1** is the designated representative authorized to sign the Permanent Agreement **and** to certify (submit) claims for reimbursement. This person is the head of the governing body, e.g., the chief officer elected or appointed to assume legal and oversight responsibility for the organization (chairperson of the board, owner, mayor, selectman, pastor, commissioner or superintendent of schools).
- Under number 2, **signature 2** is the person authorized only to certify (submit) the claims for reimbursement in the absence or incapacity of the first designated representative (executive director, co-owner, business or finance official, city or town manager, deputy commissioner, assistant superintendent, principal or headmaster).
- Under number 3, **signature 3** is the person who certifies the board action but **is not** authorized to certify (submit) the claims for reimbursement. This must be a different person from signatures 1 and 2 (secretary of the board, town clerk or secretary of the corporation).

CACFP institutions must e-mail one scanned copy of the signed Permanent Agreement to CNPermanentAgreement@ct.gov no later than **July 1, 2019**. Use the subject line “CNP Permanent Agreement – Institution Name,” for example, “CNP Permanent Agreement – XYZ Agency of Any Town, Inc.”

It is important to complete the new Permanent Agreement correctly. The CSDE will return incomplete forms and require the institution to submit a new Permanent Agreement if signature titles are not appropriate for the signature group, as indicated in the instructions above. Failure to submit a new Permanent Agreement by **July 1, 2019**, may affect the institution’s ability to complete a CACFP renewal application packet for the 2019-20 year, which will affect claiming.

Questions may be directed to the CACFP consultants below.

CACFP ASSIGNMENTS	CONSULTANT	E-MAIL AND PHONE
Child and adult day care centers	Susan Boyle	susan.boyle@ct.gov 860-807-2074
Child and adult day care centers	Benedict Onye	benedict.onye@ct.gov 860-807-2080
Child and adult day care centers Family day care homes	Celia Cordero	celia.cordero@ct.gov 860-807-2076

JDF:shb

Important: This is a numbered Connecticut State Department of Education (CSDE) operational memorandum that contains important program information. Please read carefully and retain for future reference. All CSDE operational memoranda are posted on the CSDE’s [Operational Memoranda for the CACFP](#) webpage.