

Figure: 1 TAC Part 15

Current Rules from Title 1, Part 15 Texas Health and Human Services Commission			Transferred to Title 4, Part 1 Texas Department of Agriculture		
Chapter and Subchapter	Section	Heading	Chapter and Subchapter	Section	Heading
<b>377</b>		<b>Food Distribution and Processing</b>	<b>24</b>		<b>Food Distribution and Processing</b>
	<b>A</b>	<b>Food Distribution Program</b>		<b>A</b>	<b>Food Distribution Program</b>
		§377.101 Definitions of Program Terms			§24.101 Definitions of Program Terms
		§377.102 Eligible Distributing and Subdistributing Agencies			§24.102 Eligible Distributing and Subdistributing Agencies
		§377.103 Eligibility Determination for Recipient Agencies and Recipients			§24.103 Eligibility Determination for Recipient Agencies and Recipients
		§377.104 Agreements and Contracts			§24.104 Agreements and Contracts
		§377.105 Contractor Sanctions, Termination, and Appeal Rights			§24.105 Contractor Sanctions, Termination, and Appeal Rights
		§377.106 Distribution and Control of Donated Foods			§24.106 Distribution and Control of Donated Foods
		§377.107 Warehousing and Distribution of Donated Foods			§24.107 Warehousing and Distribution of Donated Foods
		§377.108 Financial Management			§24.108 Financial Management
		§377.109 Recordkeeping			§24.109 Recordkeeping
		§377.110 Audits			§24.110 Audits
		§377.111 Reviews			§24.111 Reviews
		§377.112 Civil Rights			§24.112 Civil Rights
		§377.113 Requirement To Buy American Products			§24.113 Requirement To Buy American Products
		§377.114 State Processing of Donated Foods			§24.114 State Processing of Donated Foods
		§377.115 Nonprofit Summer Camps for Children			§24.115 Nonprofit Summer Camps for Children
		§377.116 Charitable Institutions			§24.116 Charitable Institutions
		§377.117 Nutrition Programs for the Elderly			§24.117 Nutrition Programs for the Elderly
		§377.118 Disaster Organizations			§24.118 Disaster Organizations
		§377.119 Special Food Assistance Programs			§24.119 Special Food Assistance Programs
		§377.120 School Food Authorities and Commodity Schools			§24.120 School Food Authorities and Commodity Schools
		§377.121 Nonresidential Child and Adult Care Institutions			§24.121 Nonresidential Child and Adult Care Institutions
		§377.122 Services Institutions			§24.122 Services Institutions
	<b>B</b>	<b>The Texas Commodity Assistance Program (TEXCAP)</b>		<b>B</b>	<b>The Texas Commodity Assistance Program (TEXCAP)</b>
		§377.6001 Purpose			§24.601 Purpose
		§377.6002 Eligibility Requirements			§24.602 Eligibility Requirements
		§377.6003 Applicant Responsibilities			§24.603 Applicant Responsibilities

		§377.6004	Applicant Rights			§24.604	Applicant Rights
		§377.6005	Eligibility Guidelines			§24.605	Eligibility Guidelines
		§377.6006	Commodity Distribution			§24.606	Commodity Distribution
		§377.6007	Responsibilities of Contracted Agencies			§24.607	Responsibilities of Contracted Agencies
		§377.6008	Corrective Action			§24.608	Corrective Action
		§377.6009	Reimbursement			§24.609	Reimbursement
		§377.6010	Selection of Contractors			§24.610	Selection of Contractors
		§377.6011	Adverse Action, Appeal, and Complaint Procedures			§24.611	Adverse Action, Appeal, and Complaint Procedures
	<b>C</b>		<b>Commodity Supplemental Food Program</b>		<b>C</b>		<b>Commodity Supplemental Food Program</b>
		§377.7001	Purpose			§24.701	Purpose
		§377.7002	Definitions and Terms			§24.702	Definitions and Terms
		§377.7003	Selection of Local Agencies			§24.703	Selection of Local Agencies
		§377.7004	Certification			§24.704	Certification
		§377.7005	Nutrition Education			§24.705	Nutrition Education
		§377.7006	Financial Management			§24.706	Financial Management
		§377.7007	Administrative Costs			§24.707	Administrative Costs
		§377.7008	Program Income			§24.708	Program Income
		§377.7009	Responsibilities of Local Agencies			§24.709	Responsibilities of Local Agencies
		§377.7010	Records and Reports			§24.710	Records and Reports
		§377.7011	Procurement and Property Management			§24.711	Procurement and Property Management
		§377.7012	Management Evaluations and Reviews			§24.712	Management Evaluations and Reviews
		§377.7013	Audits			§24.713	Audits
		§377.7014	Adverse Action, Appeal, and Fair Hearings			§24.714	Adverse Action, Appeal, and Fair Hearings
		§377.7015	Nondiscrimination			§24.715	Nondiscrimination
<b>378</b>			<b>Special Nutrition Programs</b>	<b>25</b>			<b>Special Nutrition Programs</b>
	<b>A</b>		<b>Child and Adult Care Food Program (CACFP)</b>		<b>A</b>		<b>Child and Adult Care Food Program (CACFP)</b>
	<b>Division 1</b>		<b>Overview and Purpose</b>		<b>Division 1</b>		<b>Overview and Purpose</b>
		§378.1	What is the purpose of the Child and Adult Care Food Program (CACFP)?			§25.1	What is the purpose of the Child and Adult Care Food Program (CACFP)?
		§378.2	What do certain words and terms in this subchapter mean?			§25.2	What do certain words and terms in this subchapter mean?
		§378.3	How is the CACFP authorized?			§25.3	How is the CACFP authorized?
		§378.4	How may DHS use the CACFP federal assistance?			§25.4	How may DHS use the CACFP federal assistance?
	<b>Division 2</b>		<b>Eligibility of Contractors and Facilities</b>		<b>Division 2</b>		<b>Eligibility of Contractors and Facilities</b>
		§378.11	What requirements must contractors and facilities meet in order to be eligible to participate in the CACFP?			§25.11	What requirements must contractors and facilities meet in order to be eligible to participate in the CACFP?

		§378.12	Must contractors and facilities be licensed or approved in order to participate in the CACFP?			§25.12	Must contractors and facilities be licensed or approved in order to participate in the CACFP?
		§378.13	Who is the licensing authority in Texas?			§25.13	Who is the licensing authority in Texas?
		§378.14	Are there any exceptions to the licensing requirements?			§25.14	Are there any exceptions to the licensing requirements?
		§378.15	When must a contractor submit copies of its license or registration?			§25.15	When must a contractor submit copies of its license or registration?
		§378.16	Must a contractor comply with training requirements in order to be eligible to participate in the CACFP?			§25.16	Must a contractor comply with training requirements in order to be eligible to participate in the CACFP?
		§378.17	Must a nonprofit contractor have tax-exempt status in order to be eligible to participate in the CACFP?			§25.17	Must a nonprofit contractor have tax-exempt status in order to be eligible to participate in the CACFP?
		§378.18	Must a proprietary for-profit organization or a sponsored for-profit facility meet specific eligibility requirements in order to be eligible to participate in the CACFP?			§25.18	Must a proprietary for-profit organization or a sponsored for-profit facility meet specific eligibility requirements in order to be eligible to participate in the CACFP?
		§378.19	Are there any exceptions to the eligibility requirements stated in 7 CFR §226.15 for a proprietary for-profit child care center or a for-profit sponsored child care facility?			§25.19	Are there any exceptions to the eligibility requirements stated in 7 CFR §226.15 for a proprietary for-profit child care center or a for-profit sponsored child care facility?
		§378.20	What is the Free/Reduced-Price Expanded Eligibility Pilot criterion?			§25.20	What is the Free/Reduced-Price Expanded Eligibility Pilot criterion?
		§378.21	Must a renewing contractor show compliance with the single audit requirements in 7 CFR Part 3052 in order to participate in the CACFP?			§25.21	Must a renewing contractor show compliance with the single audit requirements in 7 CFR Part 3052 in order to participate in the CACFP?
		§378.22	How does a contractor demonstrate compliance with the single audit requirements when applying to participate in the CACFP?			§25.22	How does a contractor demonstrate compliance with the single audit requirements when applying to participate in the CACFP?
		§378.23	Must child care facilities distribute information about other programs?			§25.23	Must child care facilities distribute information about other programs?
		§378.24	Are there any exceptions to the requirement regarding distribution of materials?			§25.24	Are there any exceptions to the requirement regarding distribution of materials?

	§378.25	Must an organization satisfy specific requirements in order to be eligible to participate in the CACFP as a day care home sponsor?		§25.25	Must an organization satisfy specific requirements in order to be eligible to participate in the CACFP as a day care home sponsor?
	§378.26	Where must a contractor obtain a performance bond?		§25.26	Where must a contractor obtain a performance bond?
	§378.27	How often must an organization submit a performance bond?		§25.27	How often must an organization submit a performance bond?
	§378.28	Must the dollar amount of the performance bond be adjusted?		§25.28	Must the dollar amount of the performance bond be adjusted?
	§378.29	What happens if an organization has fewer than three years of administrative and financial history?		§25.29	What happens if an organization has fewer than three years of administrative and financial history?
	§378.30	When must a representative of the organization make records available at the primary physical location?		§25.30	When must a representative of the organization make records available at the primary physical location?
	§378.31	When must a representative of the organization be available at the primary physical location?		§25.31	When must a representative of the organization be available at the primary physical location?
	§378.32	How must a contractor make itself available to DHS and providers?		§25.32	How must a contractor make itself available to DHS and providers?
	§378.33	What must happen if a contractor's primary physical location changes?		§25.33	What must happen if a contractor's primary physical location changes?
	§378.34	How do contractors and facilities qualify to participate in the CACFP At Risk Afterschool Snack program?		§25.34	How do contractors and facilities qualify to participate in the CACFP At Risk Afterschool Snack program?
	§378.35	Are supervised athletic activities ever allowed in the CACFP At Risk Afterschool Snack program?		§25.35	Are supervised athletic activities ever allowed in the CACFP At Risk Afterschool Snack program?
	§378.36	What information must contractors that operate or sponsor the participation of one or more emergency shelters provide to demonstrate that they qualify to participate in the CACFP as an emergency shelter?		§25.36	What information must contractors that operate or sponsor the participation of one or more emergency shelters provide to demonstrate that they qualify to participate in the CACFP as an emergency shelter?
	§378.37	Are there any conditions that would make a contractor ineligible to participate in the CACFP?		§25.37	Are there any conditions that would make a contractor ineligible to participate in the CACFP?
<b>Division 3</b>		<b>Contractor Application Process</b>	<b>Division 3</b>		<b>Contractor Application Process</b>

		§378.61	Must a contractor submit an application to participate in the CACFP?			§25.61	Must a contractor submit an application to participate in the CACFP?
		§378.62	What must a contractor do if the information on its application changes from what was originally submitted?			§25.62	What must a contractor do if the information on its application changes from what was originally submitted?
		§378.63	What criteria does DHS use to approve or deny applications for participation?			§25.63	What criteria does DHS use to approve or deny applications for participation?
		§378.64	Because of its status as a nonprofit, is there any information a sponsor is required to include in its application to meet Internal Revenue Service requirements?			§25.64	Because of its status as a nonprofit, is there any information a sponsor is required to include in its application to meet Internal Revenue Service requirements?
		§378.65	What information must a contractor submit in its program application?			§25.65	What information must a contractor submit in its program application?
		§378.66	Does DHS conduct pre-approval visits to child care contractors applying to participate in the CACFP?			§25.66	Does DHS conduct pre-approval visits to child care contractors applying to participate in the CACFP?
		§378.67	What happens if a contractor's application is incomplete?			§25.67	What happens if a contractor's application is incomplete?
		§378.68	Can a contractor reapply if its application is denied?			§25.68	Can a contractor reapply if its application is denied?
<b>Division 4</b>			<b>Agreements</b>	<b>Division 4</b>			<b>Agreements</b>
		§378.81	Is a contractor required to enter into an agreement with DHS in order to participate in the CACFP?			§25.81	Is a contractor required to enter into an agreement with DHS in order to participate in the CACFP?
		§378.82	What is the nature of this agreement?			§25.82	What is the nature of this agreement?
		§378.83	Is a facility required to enter into an agreement with a sponsoring organization to participate in the CACFP?			§25.83	Is a facility required to enter into an agreement with a sponsoring organization to participate in the CACFP?
		§378.84	Is this also a legally binding document that specifies the rights and responsibilities of both the sponsor and facility?			§25.84	Is this also a legally binding document that specifies the rights and responsibilities of both the sponsor and facility?
		§378.85	Must a contractor that purchases meals from a food service management company (FSMC) or school food authority (SFA) enter into a contract with that entity?			§25.85	Must a contractor that purchases meals from a food service management company (FSMC) or school food authority (SFA) enter into a contract with that entity?

		§378.86	What is the term of this agreement?			§25.86	What is the term of this agreement?
		§378.87	How may this agreement be extended?			§25.87	How may this agreement be extended?
		§378.88	Can an extension last more than 12 months?			§25.88	Can an extension last more than 12 months?
		§378.89	What information must a contractor include in its agreement?			§25.89	What information must a contractor include in its agreement?
		§378.90	What happens if an FSMC does not provide a contractor with monthly billing records by the specified date?			§25.90	What happens if an FSMC does not provide a contractor with monthly billing records by the specified date?
		§378.91	Can an organization have more than one agreement with DHS to participate as a CACFP day care home contractor, child care center contractor, or adult day care center contractor?			§25.91	Can an organization have more than one agreement with DHS to participate as a CACFP day care home contractor, child care center contractor, or adult day care center contractor?
		§378.92	What if the organization is legally distinct from a current CACFP contractor?			§25.92	What if the organization is legally distinct from a current CACFP contractor?
<b>Division 5</b>			<b>Contractor Standards and Responsibilities</b>	<b>Division 5</b>			<b>Contractor Standards and Responsibilities</b>
		§378.111	Must a contractor follow specific procurement guidelines to obtain food, supplies, and other goods and services for the CACFP?			§25.111	Must a contractor follow specific procurement guidelines to obtain food, supplies, and other goods and services for the CACFP?
		§378.112	How must a contractor obtain the title to, use, and dispose of equipment used in the operation of the CACFP?			§25.112	How must a contractor obtain the title to, use, and dispose of equipment used in the operation of the CACFP?
		§378.113	Under what standards must a child care or adult day care center contractor determine a participant's eligibility for free and reduced-price meals?			§25.113	Under what standards must a child care or adult day care center contractor determine a participant's eligibility for free and reduced-price meals?
		§378.114	How must DHS and child care or adult day care center contractors verify the eligibility of program participants for free and reduced-price meals?			§25.114	How must DHS and child care or adult day care center contractors verify the eligibility of program participants for free and reduced-price meals?
		§378.115	Are there any restrictions on the type of meals that an adult day care center contractor can claim for reimbursement?			§25.115	Are there any restrictions on the type of meals that an adult day care center contractor can claim for reimbursement?

		§378.116	Can a contractor consider individuals who live in residential institutions and attend the adult day care center during the day as "enrolled" on the center's claim forms?			§25.116	Can a contractor consider individuals who live in residential institutions and attend the adult day care center during the day as "enrolled" on the center's claim forms?
		§378.117	Is a contractor who is approved to operate the CACFP At Risk Afterschool Snack program required to provide snacks free of charge to its participants?			§25.117	Is a contractor who is approved to operate the CACFP At Risk Afterschool Snack program required to provide snacks free of charge to its participants?
		§378.118	Will contractors be discriminated against in the CACFP?			§25.118	Will contractors be discriminated against in the CACFP?
		§378.119	Is a contractor required to prevent discrimination against participants in its CACFP operations?			§25.119	Is a contractor required to prevent discrimination against participants in its CACFP operations?
		§378.120	Are contractors and facilities required to ensure that health, safety, and sanitation standards are enforced?			§25.120	Are contractors and facilities required to ensure that health, safety, and sanitation standards are enforced?
		§378.121	Must a contractor provide training and technical assistance to its center or sponsored facility staff?			§25.121	Must a contractor provide training and technical assistance to its center or sponsored facility staff?
		§378.122	Can a contractor implement a change to its approved management plan before DHS approves the change?			§25.122	Can a contractor implement a change to its approved management plan before DHS approves the change?
<b>Division 6</b>			<b>Budgets</b>	<b>Division 6</b>			<b>Budgets</b>
		§378.141	How must a contractor submit an administrative budget for DHS approval?			§25.141	How must a contractor submit an administrative budget for DHS approval?
		§378.142	What information must a day care home sponsor include when submitting its budget?			§25.142	What information must a day care home sponsor include when submitting its budget?
		§378.143	What are the program functions that should be included in a budget?			§25.143	What are the program functions that should be included in a budget?
		§378.144	What should the contractor do if the required program functions are provided at no cost to the program?			§25.144	What should the contractor do if the required program functions are provided at no cost to the program?
		§378.145	How must a contractor manage payment of costs that are not allowable uses of program funds?			§25.145	How must a contractor manage payment of costs that are not allowable uses of program funds?
		§378.146	How does DHS handle adjustments to the budget?			§25.146	How does DHS handle adjustments to the budget?
		§378.147	When must a contractor submit its budget to DHS?			§25.147	When must a contractor submit its budget to DHS?

	§378.148	Will DHS approve a budget adjustment retroactively?		§25.148	Will DHS approve a budget adjustment retroactively?
	§378.149	What happens if a day care home sponsor operates at a deficit?		§25.149	What happens if a day care home sponsor operates at a deficit?
	§378.150	What happens if a day care home sponsor exceeds the allowable amounts calculated under 7 CFR §226.12?		§25.150	What happens if a day care home sponsor exceeds the allowable amounts calculated under 7 CFR §226.12?
	§378.151	How must a contractor report donations on its budget?		§25.151	How must a contractor report donations on its budget?
	§378.152	How does DHS determine the limits of a day care home sponsor's budget?		§25.152	How does DHS determine the limits of a day care home sponsor's budget?
	§378.153	What part of the budget can DHS limit?		§25.153	What part of the budget can DHS limit?
	§378.154	What budget information must a contractor provide when it applies for start-up or expansion funds?		§25.154	What budget information must a contractor provide when it applies for start-up or expansion funds?
<b>Division 7</b>		<b>Financial Management</b>	<b>Division 7</b>		<b>Financial Management</b>
	§378.161	Is a contractor required to implement a particular financial management system?		§25.161	Is a contractor required to implement a particular financial management system?
	§378.162	Must a contractor maintain financial management system records related to its participation in the CACFP?		§25.162	Must a contractor maintain financial management system records related to its participation in the CACFP?
	§378.163	Is a Day Activity and Health Services (DAHS) center that participates in the CACFP required to report any reimbursement it receives while taking part in the CACFP?		§25.163	Is a Day Activity and Health Services (DAHS) center that participates in the CACFP required to report any reimbursement it receives while taking part in the CACFP?
	§378.164	Can a contractor use CACFP funds to assist eligible unlicensed or unregistered potential day care homes to become licensed or registered?		§25.164	Can a contractor use CACFP funds to assist eligible unlicensed or unregistered potential day care homes to become licensed or registered?
	§378.165	Can a contractor use CACFP funds to assist potential day care homes to become licensed or registered if those providers have previously received CACFP funds?		§25.165	Can a contractor use CACFP funds to assist potential day care homes to become licensed or registered if those providers have previously received CACFP funds?
<b>Division 8</b>		<b>Reporting and Record Retention</b>	<b>Division 8</b>		<b>Reporting and Record Retention</b>
	§378.171	How must a contractor submit reports to DHS?		§25.171	How must a contractor submit reports to DHS?



	§378.172	What information must a contractor keep to support reports submitted to DHS?		§25.172	What information must a contractor keep to support reports submitted to DHS?
	§378.173	How long must a contractor maintain records and documents pertaining to the CACFP?		§25.173	How long must a contractor maintain records and documents pertaining to the CACFP?
	§378.174	How long must a contractor maintain program-related documentation if litigation, claims, audits, or investigations involving these records occur before the end of three years and 90 days?		§25.174	How long must a contractor maintain program-related documentation if litigation, claims, audits, or investigations involving these records occur before the end of three years and 90 days?
	§378.175	When is litigation, a claim, an audit, or an investigation finding resolved?		§25.175	When is litigation, a claim, an audit, or an investigation finding resolved?
	§378.176	Must a contractor provide access to its facilities and records?		§25.176	Must a contractor provide access to its facilities and records?
	§378.177	How must a sponsoring organization with more than one approved facility maintain records?		§25.177	How must a sponsoring organization with more than one approved facility maintain records?
	§378.178	Can a sponsoring organization maintain CACFP records with other program records?		§25.178	Can a sponsoring organization maintain CACFP records with other program records?
	§378.179	Must a sponsoring organization ensure that facilities maintain certain records daily?		§25.179	Must a sponsoring organization ensure that facilities maintain certain records daily?
	§378.180	What forms must a contractor use to administer the CACFP?		§25.180	What forms must a contractor use to administer the CACFP?
	§378.181	What is the authority for maintaining and submitting records?		§25.181	What is the authority for maintaining and submitting records?
	§378.182	What management information must a day care home sponsor submit each month?		§25.182	What management information must a day care home sponsor submit each month?
	§378.183	In what form must this information be submitted?		§25.183	In what form must this information be submitted?
<b>Division 9</b>		<b>Meal Requirements</b>	<b>Division 9</b>		<b>Meal Requirements</b>
	§378.191	Must a contractor ensure that all meals served and claimed for reimbursement satisfy the CACFP program requirements?		§25.191	Must a contractor ensure that all meals served and claimed for reimbursement satisfy the CACFP program requirements?
	§378.192	How much time can elapse between meals?		§25.192	How much time can elapse between meals?
	§378.193	How long can individual meal times last?		§25.193	How long can individual meal times last?

		§378.194	Are there any exceptions?			§25.194	Are there any exceptions?
		§378.195	Can a day care home sponsor require the use of pre-planned pre-printed menus?			§25.195	Can a day care home sponsor require the use of pre-planned pre-printed menus?
		§378.196	Can a day care home sponsor provide pre-planned pre-printed menus as a training tool only?			§25.196	Can a day care home sponsor provide pre-planned pre-printed menus as a training tool only?
		§378.197	Can a day care home use pre-planned menus?			§25.197	Can a day care home use pre-planned menus?
		§378.198	Can a contractor claim reimbursement for meals served to eligible program participants during field trips?			§25.198	Can a contractor claim reimbursement for meals served to eligible program participants during field trips?
<b>Division 10</b>			<b>Day Care Homes</b>	<b>Division 10</b>			<b>Day Care Homes</b>
		§378.211	What materials must a day home sponsor submit in order for a day care home to be approved to participate in the CACFP?			§25.211	What materials must a day home sponsor submit in order for a day care home to be approved to participate in the CACFP?
		§378.212	Is there a time frame by which a day home sponsor must submit application materials in order for a day care home to be approved to participate in the CACFP in a given month?			§25.212	Is there a time frame by which a day home sponsor must submit application materials in order for a day care home to be approved to participate in the CACFP in a given month?
		§378.213	What constitutes a complete and correct Day Care Home Application?			§25.213	What constitutes a complete and correct Day Care Home Application?
		§378.214	Is there any information on the Day Care Home Application that DHS can complete or correct on behalf of the provider?			§25.214	Is there any information on the Day Care Home Application that DHS can complete or correct on behalf of the provider?
		§378.215	What constitutes a complete and correct Agreement Between Sponsor and Day Care Home Provider?			§25.215	What constitutes a complete and correct Agreement Between Sponsor and Day Care Home Provider?
		§378.216	Is there any information on the Agreement Between Sponsor and Day Care Home Provider that DHS can complete or correct on behalf of the provider?			§25.216	Is there any information on the Agreement Between Sponsor and Day Care Home Provider that DHS can complete or correct on behalf of the provider?
		§378.217	How does DHS determine the date a day care home can participate in the CACFP?			§25.217	How does DHS determine the date a day care home can participate in the CACFP?

		§378.218	Which days of the week does DHS approve as meal service days for day care homes?			§25.218	Which days of the week does DHS approve as meal service days for day care homes?
		§378.219	Can a day care home that is currently participating in the CACFP under one sponsor sign an agreement to participate with a different sponsor?			§25.219	Can a day care home that is currently participating in the CACFP under one sponsor sign an agreement to participate with a different sponsor?
		§378.220	Can a day care home change sponsors more than once during the program year?			§25.220	Can a day care home change sponsors more than once during the program year?
		§378.221	What is good cause for transferring?			§25.221	What is good cause for transferring?
		§378.222	Can a day care home participate with more than one sponsor in the same month?			§25.222	Can a day care home participate with more than one sponsor in the same month?
		§378.223	Can a day care home provider that participates in the CACFP actively take part in any sponsor's day-to-day operations, either full- or part-time?			§25.223	Can a day care home provider that participates in the CACFP actively take part in any sponsor's day-to-day operations, either full- or part-time?
		§378.224	Can a day care home provider be a board member of a sponsoring organization?			§25.224	Can a day care home provider be a board member of a sponsoring organization?
		§378.225	Can a day care home provider that has been found guilty of committing fraud in the CACFP still participate in the CACFP?			§25.225	Can a day care home provider that has been found guilty of committing fraud in the CACFP still participate in the CACFP?
		§378.226	Is a day care home required to attend program-related training to qualify to participate in the CACFP?			§25.226	Is a day care home required to attend program-related training to qualify to participate in the CACFP?
		§378.227	Does DHS limit the number of day care homes that a new contractor may sponsor?			§25.227	Does DHS limit the number of day care homes that a new contractor may sponsor?
		§378.228	If DHS limits the number of day care homes that a newly approved contractor can sponsor, how can the contractor gain additional homes?			§25.228	If DHS limits the number of day care homes that a newly approved contractor can sponsor, how can the contractor gain additional homes?
		§378.229	Does DHS limit the number of day care homes that a contractor currently participating in the CACFP may sponsor?			§25.229	Does DHS limit the number of day care homes that a contractor currently participating in the CACFP may sponsor?

		§378.230	Does DHS approve additional day care homes for contractors already participating in the CACFP?			§25.230	Does DHS approve additional day care homes for contractors already participating in the CACFP?
		§378.231	How does DHS notify a contractor that its total number of day care homes has been limited?			§25.231	How does DHS notify a contractor that its total number of day care homes has been limited?
		§378.232	On what does DHS base its adjustment?			§25.232	On what does DHS base its adjustment?
		§378.233	In addition to the provisions of 7 CFR §226.13 and §226.18, what other guidelines must a contractor that sponsors day care homes follow?			§25.233	In addition to the provisions of 7 CFR §226.13 and §226.18, what other guidelines must a contractor that sponsors day care homes follow?
<b>Division 11</b>			<b>Start-Up and Expansion Payments</b>	<b>Division 11</b>			<b>Start-Up and Expansion Payments</b>
		§378.261	What are start-up and expansion payments?			§25.261	What are start-up and expansion payments?
		§378.262	Which contractors are eligible to request start-up and expansion payments?			§25.262	Which contractors are eligible to request start-up and expansion payments?
		§378.263	How does a contractor apply to receive start-up and expansion payments?			§25.263	How does a contractor apply to receive start-up and expansion payments?
		§378.264	How does DHS issue start-up payments to contractors that sponsor or want to sponsor day care homes?			§25.264	How does DHS issue start-up payments to contractors that sponsor or want to sponsor day care homes?
		§378.265	How does DHS issue expansion payments to day care home sponsors?			§25.265	How does DHS issue expansion payments to day care home sponsors?
		§378.266	How does DHS determine the amount of expansion payments issued to a day care home sponsor?			§25.266	How does DHS determine the amount of expansion payments issued to a day care home sponsor?
		§378.267	How must a day care home sponsor use expansion payments?			§25.267	How must a day care home sponsor use expansion payments?
		§378.268	How must a day care home sponsor use start-up payments?			§25.268	How must a day care home sponsor use start-up payments?
		§378.269	Can start-up or expansion payments awarded to day care home sponsors be used to recruit day care homes that are already participating with another DHS-approved sponsoring organization?			§25.269	Can start-up or expansion payments awarded to day care home sponsors be used to recruit day care homes that are already participating with another DHS-approved sponsoring organization?
<b>Division 13</b>			<b>Commodities and Cash In-Lieu Assistance</b>	<b>Division 13</b>			<b>Commodities and Cash In-Lieu Assistance</b>

	§378.311	Does DHS provide commodity assistance to contractors?		§25.311	Does DHS provide commodity assistance to contractors?
	§378.312	How does DHS determine whether to issue commodities or cash-in-lieu of commodities?		§25.312	How does DHS determine whether to issue commodities or cash-in-lieu of commodities?
	§378.313	If a day care home sponsor chooses to distribute bonus commodities to its day care homes, how does it determine the number of commodities to distribute to each day care home?		§25.313	If a day care home sponsor chooses to distribute bonus commodities to its day care homes, how does it determine the number of commodities to distribute to each day care home?
	§378.314	Who covers the costs of distributing bonus commodities?		§25.314	Who covers the costs of distributing bonus commodities?
	§378.315	Can a sponsoring organization include administrative costs associated with the distribution of bonus commodities in its CACFP costs?		§25.315	Can a sponsoring organization include administrative costs associated with the distribution of bonus commodities in its CACFP costs?
	§378.316	What does DHS require of a day care home sponsoring organization before that organization can submit charges to its day care homes?		§25.316	What does DHS require of a day care home sponsoring organization before that organization can submit charges to its day care homes?
	§378.317	Are facilities or centers required to receive bonus commodities?		§25.317	Are facilities or centers required to receive bonus commodities?
<b>Division 14</b>		<b>Reimbursement</b>	<b>Division 14</b>		<b>Reimbursement</b>
	§378.331	Under what authority does DHS reimburse a contractor for its participation in the CACFP?		§25.331	Under what authority does DHS reimburse a contractor for its participation in the CACFP?
	§378.332	Under what authority must contractors reimburse facilities?		§25.332	Under what authority must contractors reimburse facilities?
	§378.333	How does DHS assign reimbursement rates for contractors?		§25.333	How does DHS assign reimbursement rates for contractors?
	§378.334	What options does DHS use to reimburse contractors?		§25.334	What options does DHS use to reimburse contractors?
	§378.335	How does DHS compute reimbursement for approved child care centers, outside-school-hours care centers, adult day care centers, and day care homes?		§25.335	How does DHS compute reimbursement for approved child care centers, outside-school-hours care centers, adult day care centers, and day care homes?
	§378.336	What are Title III benefits?		§25.336	What are Title III benefits?

		§378.337	Can independent adult day care centers and contractors that sponsor adult day care centers claim reimbursement for meals supported by Title III of the Older Americans Act?			§25.337	Can independent adult day care centers and contractors that sponsor adult day care centers claim reimbursement for meals supported by Title III of the Older Americans Act?
		§378.338	If a contractor uses a food service management company to prepare the meals served at the adult day care center, who is responsible for ensuring that neither Title III funds nor commodities were used in the meals?			§25.338	If a contractor uses a food service management company to prepare the meals served at the adult day care center, who is responsible for ensuring that neither Title III funds nor commodities were used in the meals?
		§378.339	How many snacks can a CACFP At Risk Afterschool Snack program contractor claim for reimbursement?			§25.339	How many snacks can a CACFP At Risk Afterschool Snack program contractor claim for reimbursement?
		§378.340	What are the requirements for submitting a claim for reimbursement for a snack?			§25.340	What are the requirements for submitting a claim for reimbursement for a snack?
		§378.341	What rate does DHS use to reimburse contractors who operate the CACFP At Risk Afterschool Snack program?			§25.341	What rate does DHS use to reimburse contractors who operate the CACFP At Risk Afterschool Snack program?
		§378.342	Can a contractor be reimbursed for after school snacks served to participants in an approved At Risk Afterschool program in addition to the meals provided in traditional child care?			§25.342	Can a contractor be reimbursed for after school snacks served to participants in an approved At Risk Afterschool program in addition to the meals provided in traditional child care?
		§378.343	What is the maximum number of reimbursable meals under the CACFP?			§25.343	What is the maximum number of reimbursable meals under the CACFP?
		§378.344	Are there any exceptions?			§25.344	Are there any exceptions?
		§378.345	How many meals can a contractor that sponsors or operates emergency shelters for homeless children include in a claim for reimbursement?			§25.345	How many meals can a contractor that sponsors or operates emergency shelters for homeless children include in a claim for reimbursement?
		§378.346	Are there any meals for which emergency shelters for homeless children contractors cannot claim reimbursement?			§25.346	Are there any meals for which emergency shelters for homeless children contractors cannot claim reimbursement?
		§378.347	Must a contractor claim reimbursement within a specific time period?			§25.347	Must a contractor claim reimbursement within a specific time period?

		§378.348	Who is responsible for the accuracy of the information submitted on the contractor's claim for reimbursement?			§25.348	Who is responsible for the accuracy of the information submitted on the contractor's claim for reimbursement?
		§378.349	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?			§25.349	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?
		§378.350	How does DHS process a claim received later than 60 days after the end of the claim month(s)?			§25.350	How does DHS process a claim received later than 60 days after the end of the claim month(s)?
		§378.351	What happens if DHS finds that good cause did not exist?			§25.351	What happens if DHS finds that good cause did not exist?
		§378.352	What happens if DHS finds that good cause beyond the contractor's control existed?			§25.352	What happens if DHS finds that good cause beyond the contractor's control existed?
		§378.353	What happens if USDA finds that good cause existed?			§25.353	What happens if USDA finds that good cause existed?
		§378.354	What happens if USDA finds that good cause did not exist?			§25.354	What happens if USDA finds that good cause did not exist?
		§378.355	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?			§25.355	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?
		§378.356	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?			§25.356	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?
		§378.357	What guidelines must a contractor use when serving second meals?			§25.357	What guidelines must a contractor use when serving second meals?
		§378.358	How must a contractor claim reimbursement for second meals?			§25.358	How must a contractor claim reimbursement for second meals?
		§378.359	Can a contractor that serves meals family style claim reimbursement for second meals?			§25.359	Can a contractor that serves meals family style claim reimbursement for second meals?
		§378.360	Can a day care home claim CACFP reimbursement for meals served to another day care home provider's own children when both providers participate in the CACFP?			§25.360	Can a day care home claim CACFP reimbursement for meals served to another day care home provider's own children when both providers participate in the CACFP?

		§378.361	Can the day care home provider's own child be considered a nonresidential child for the purpose of claiming reimbursement for a meal service at the day care home of another provider?			§25.361	Can the day care home provider's own child be considered a nonresidential child for the purpose of claiming reimbursement for a meal service at the day care home of another provider?
		§378.362	What age group of children must an emergency shelter or homeless site serve in order to be eligible to participate as a contractor in the CACFP?			§25.362	What age group of children must an emergency shelter or homeless site serve in order to be eligible to participate as a contractor in the CACFP?
		§378.363	Are there any exceptions?			§25.363	Are there any exceptions?
<b>Division 15</b>			<b>Overpayments</b>	<b>Division 15</b>			<b>Overpayments</b>
		§378.382	What happens to program funds that a day care home sponsor recovers from a day care home?			§25.382	What happens to program funds that a day care home sponsor recovers from a day care home?
		§378.383	Can a day care home sponsor use CACFP funds to recruit day care homes?			§25.383	Can a day care home sponsor use CACFP funds to recruit day care homes?
<b>Division 16</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>	<b>Division 16</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>
		§378.391	Is a contractor required to monitor its own program operations?			§25.391	Is a contractor required to monitor its own program operations?
		§378.392	Does DHS conduct periodic visits to CACFP contractors?			§25.392	Does DHS conduct periodic visits to CACFP contractors?
		§378.393	How does DHS determine which contractors to visit?			§25.393	How does DHS determine which contractors to visit?
		§378.394	Does DHS require sponsors of day care homes to verify participation of the children in their day care homes?			§25.394	Does DHS require sponsors of day care homes to verify participation of the children in their day care homes?
		§378.395	How must a day care home sponsor verify the participation of the children claimed?			§25.395	How must a day care home sponsor verify the participation of the children claimed?
		§378.396	How must a day care home sponsor verify a child's enrollment in a day care home?			§25.396	How must a day care home sponsor verify a child's enrollment in a day care home?
		§378.397	Can a contractor verify the participation of children in day care homes even if the day care home is neither randomly selected for verification by DHS nor requires additional verification of participation after being randomly selected by DHS?			§25.397	Can a contractor verify the participation of children in day care homes even if the day care home is neither randomly selected for verification by DHS nor requires additional verification of participation after being randomly selected by DHS?



	§378.398	How does a day care home sponsor conduct reviews of day care homes?		§25.398	How does a day care home sponsor conduct reviews of day care homes?
	§378.399	How does a center sponsor conduct reviews of its sponsored facilities?		§25.399	How does a center sponsor conduct reviews of its sponsored facilities?
	§378.400	What type of monitoring reviews must a day care home sponsor conduct?		§25.400	What type of monitoring reviews must a day care home sponsor conduct?
	§378.401	Must the day care home sponsor observe a meal service during each monitoring review?		§25.401	Must the day care home sponsor observe a meal service during each monitoring review?
	§378.402	What happens if the day care home sponsor cannot confirm program participation?		§25.402	What happens if the day care home sponsor cannot confirm program participation?
	§378.403	When must a day care home sponsor conduct monitoring reviews of day care homes that participate on weekends?		§25.403	When must a day care home sponsor conduct monitoring reviews of day care homes that participate on weekends?
	§378.404	How does a contractor that sponsors the participation of child and adult care centers conduct monitoring reviews of its sponsored facilities?		§25.404	How does a contractor that sponsors the participation of child and adult care centers conduct monitoring reviews of its sponsored facilities?
	§378.405	Is a contractor that uses a food service management company (FSMC) contract required to monitor contracts with the FSMC?		§25.405	Is a contractor that uses a food service management company (FSMC) contract required to monitor contracts with the FSMC?
	§378.406	What happens if the health and well being of a program participant is at risk because of program deficiencies identified during an FSMC review?		§25.406	What happens if the health and well being of a program participant is at risk because of program deficiencies identified during an FSMC review?
<b>Division 17</b>		<b>Audits</b>	<b>Division 17</b>		<b>Audits</b>
	§378.421	Are contractors and sponsored facilities that participate in the CACFP subject to audit?		§25.421	Are contractors and sponsored facilities that participate in the CACFP subject to audit?
	§378.422	Are certain contractors exempt from the single audit requirements?		§25.422	Are certain contractors exempt from the single audit requirements?
	§378.423	When is an audit considered acceptable?		§25.423	When is an audit considered acceptable?
	§378.424	How is a contractor informed of its obligation to comply with the single audit requirements?		§25.424	How is a contractor informed of its obligation to comply with the single audit requirements?

		§378.425	Does DHS reimburse a contractor for the cost of obtaining a single audit?			§25.425	Does DHS reimburse a contractor for the cost of obtaining a single audit?
<b>Division 18</b>			<b>Sanctions, Penalties, and Fiscal Action</b>	<b>Division 18</b>			<b>Sanctions, Penalties, and Fiscal Action</b>
		§378.441	Does DHS investigate and resolve program deficiencies, program irregularities, and evidence of violations of criminal law or civil fraud statutes?			§25.441	Does DHS investigate and resolve program deficiencies, program irregularities, and evidence of violations of criminal law or civil fraud statutes?
		§378.442	What does DHS do if a contractor fails to comply with the CACFP requirements in 7 CFR Part 226 and this subchapter?			§25.442	What does DHS do if a contractor fails to comply with the CACFP requirements in 7 CFR Part 226 and this subchapter?
		§378.443	What does DHS do if DHS learns that a contractor has submitted false information on its program application?			§25.443	What does DHS do if DHS learns that a contractor has submitted false information on its program application?
		§378.444	What happens to eligible day care home providers or centers when their sponsoring organization is disqualified?			§25.444	What happens to eligible day care home providers or centers when their sponsoring organization is disqualified?
		§378.445	What happens if a contractor fails to attend mandatory DHS training?			§25.445	What happens if a contractor fails to attend mandatory DHS training?
		§378.446	What happens if a day care home sponsor fails to properly monitor or train providers when program violations related to monitoring or training of providers identified during an administrative review exceed a tolerance level of one provider or 10% of the providers sampled, whichever amount is greater?			§25.446	What happens if a day care home sponsor fails to properly monitor or train providers when program violations related to monitoring or training of providers identified during an administrative review exceed a tolerance level of one provider or 10% of the providers sampled, whichever amount is greater?
		§378.448	What happens after the second follow-up review if the day care home sponsor fails to demonstrate that all serious deficiencies identified by DHS have been or will be corrected?			§25.448	What happens after the second follow-up review if the day care home sponsor fails to demonstrate that all serious deficiencies identified by DHS have been or will be corrected?
		§378.449	What happens if a day care home sponsor fails to ensure that a claim is submitted only for eligible meals served to eligible children?			§25.449	What happens if a day care home sponsor fails to ensure that a claim is submitted only for eligible meals served to eligible children?

		§378.450	What happens if DHS determines during the test month of the initial review that 10% or more of the meals sampled and claimed for reimbursement fail to meet program requirements?			§25.450	What happens if DHS determines during the test month of the initial review that 10% or more of the meals sampled and claimed for reimbursement fail to meet program requirements?
		§378.452	What happens even if less than 10% of all meals claimed for the test month of the follow-up are ineligible?			§25.452	What happens even if less than 10% of all meals claimed for the test month of the follow-up are ineligible?
		§378.453	What happens during the second follow-up review if the day care home sponsor fails to demonstrate that all serious deficiencies identified by DHS have been or will be corrected?			§25.453	What happens during the second follow-up review if the day care home sponsor fails to demonstrate that all serious deficiencies identified by DHS have been or will be corrected?
		§378.454	What happens if a day care home sponsor fails to disburse program funds to providers according to program requirements when program violations related to the disbursement of program funds to providers identified during an administrative review exceed a tolerance level of one provider or 10% of the providers sampled, whichever amount is greater?			§25.454	What happens if a day care home sponsor fails to disburse program funds to providers according to program requirements when program violations related to the disbursement of program funds to providers identified during an administrative review exceed a tolerance level of one provider or 10% of the providers sampled, whichever amount is greater?
		§378.456	What happens after the second follow-up review if the day care home sponsor fails to demonstrate that all serious deficiencies identified by DHS have been or will be corrected?			§25.456	What happens after the second follow-up review if the day care home sponsor fails to demonstrate that all serious deficiencies identified by DHS have been or will be corrected?
		§378.457	What happens if, during a review or an audit, DHS cites a day care home sponsor for deficiencies in administrative or financial capabilities because the sponsor has too many day care homes?			§25.457	What happens if, during a review or an audit, DHS cites a day care home sponsor for deficiencies in administrative or financial capabilities because the sponsor has too many day care homes?
		§378.458	Can a day care home sponsor that is deficient in program operations add day care homes?			§25.458	Can a day care home sponsor that is deficient in program operations add day care homes?
		§378.459	What does DHS do if a contractor that is subject to the single audit requirements fails to submit an audit as required?			§25.459	What does DHS do if a contractor that is subject to the single audit requirements fails to submit an audit as required?

		§378.460	What does DHS do if a contractor fails to accomplish the required corrective action and permanently correct the serious deficiency regarding its single audit?			§25.460	What does DHS do if a contractor fails to accomplish the required corrective action and permanently correct the serious deficiency regarding its single audit?
		§378.461	Can a contractor appeal this action?			§25.461	Can a contractor appeal this action?
		§378.462	If a contractor subject to the single audit requirements fails to obtain and submit an acceptable audit by the specified due date and DHS either conducts the audit or arranges for an audit to be conducted by a third party, who must pay for the audit?			§25.462	If a contractor subject to the single audit requirements fails to obtain and submit an acceptable audit by the specified due date and DHS either conducts the audit or arranges for an audit to be conducted by a third party, who must pay for the audit?
		§378.463	Can DHS extend the deadline by which a contractor must submit an audit?			§25.463	Can DHS extend the deadline by which a contractor must submit an audit?
		§378.464	How must a contractor request an extension of its audit deadline?			§25.464	How must a contractor request an extension of its audit deadline?
		§378.465	Is DHS required to grant a contractor an extension of its audit deadline?			§25.465	Is DHS required to grant a contractor an extension of its audit deadline?
		§378.466	How is a new audit due date determined?			§25.466	How is a new audit due date determined?
		§378.467	How is the contractor informed of the decision regarding the extension of its audit due date?			§25.467	How is the contractor informed of the decision regarding the extension of its audit due date?
		§378.468	Can a contractor request more than one extension?			§25.468	Can a contractor request more than one extension?
		§378.469	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?			§25.469	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?
		§378.470	Must a contractor repay any overpayments identified through an audit finding?			§25.470	Must a contractor repay any overpayments identified through an audit finding?
		§378.471	What happens if a day care home sponsor determines during a monitoring review or by other means that a provider has been seriously deficient in its operation of the CACFP?			§25.471	What happens if a day care home sponsor determines during a monitoring review or by other means that a provider has been seriously deficient in its operation of the CACFP?

		§378.472	What happens if a day care home sponsor conducts two or more unannounced monitoring reviews in a 12-month period and cannot confirm that children are enrolled for child care and participating in the program?			§25.472	What happens if a day care home sponsor conducts two or more unannounced monitoring reviews in a 12-month period and cannot confirm that children are enrolled for child care and participating in the program?
<b>Division 19</b>			<b>Denials and Termination</b>	<b>Division 19</b>			<b>Denials and Termination</b>
		§378.491	What criteria does DHS use to deny applications and to terminate agreements for participation in the CACFP when a contractor fails to meet eligibility requirements?			§25.491	What criteria does DHS use to deny applications and to terminate agreements for participation in the CACFP when a contractor fails to meet eligibility requirements?
		§378.492	How does DHS notify a contractor of its denial of an application or proposal to terminate an agreement?			§25.492	How does DHS notify a contractor of its denial of an application or proposal to terminate an agreement?
		§378.493	Does DHS deny an application for participation or terminate an agreement when a contractor subject to the bonding requirement identified in 7 CFR §226.6 and Division 2 of this subchapter (relating to Eligibility of Contractors and Facilities) fails to comply with that requirement?			§25.493	Does DHS deny an application for participation or terminate an agreement when a contractor subject to the bonding requirement identified in 7 CFR §226.6 and Division 2 of this subchapter (relating to Eligibility of Contractors and Facilities) fails to comply with that requirement?
		§378.494	Can a contractor request relief from the bonding requirement?			§25.494	Can a contractor request relief from the bonding requirement?
		§378.495	What criteria must a day care home sponsor use to deny or terminate agreements with a day care home?			§25.495	What criteria must a day care home sponsor use to deny or terminate agreements with a day care home?
		§378.496	How does a day care home sponsor notify a day care home participating in the CACFP of its proposal to terminate the day care home's participation in the program?			§25.496	How does a day care home sponsor notify a day care home participating in the CACFP of its proposal to terminate the day care home's participation in the program?
		§378.497	Does DHS terminate an agreement with a contractor or deny the application of a contractor that has failed to permanently correct a serious deficiency in the administration of the CACFP?			§25.497	Does DHS terminate an agreement with a contractor or deny the application of a contractor that has failed to permanently correct a serious deficiency in the administration of the CACFP?
<b>Division 20</b>			<b>Appeals</b>	<b>Division 20</b>			<b>Appeals</b>

		§378.511	How does DHS conduct contractor and day care home appeals?			§25.511	How does DHS conduct contractor and day care home appeals?
		§378.512	How does DHS conduct food service management company appeals?			§25.512	How does DHS conduct food service management company appeals?
		§378.513	Who conducts appeals based on federal audits?			§25.513	Who conducts appeals based on federal audits?
		§378.514	How must participants appeal a contractor's denial of their eligibility for free and reduced-price meal benefits?			§25.514	How must participants appeal a contractor's denial of their eligibility for free and reduced-price meal benefits?
		§378.515	Can a contractor appeal a DHS decision not to request a USDA determination of good cause for submission of a late claim?			§25.515	Can a contractor appeal a DHS decision not to request a USDA determination of good cause for submission of a late claim?
		§378.516	How does a contractor request an appeal?			§25.516	How does a contractor request an appeal?
		§378.517	Can a contractor appeal if USDA decides that a late claim is ineligible for payment?			§25.517	Can a contractor appeal if USDA decides that a late claim is ineligible for payment?
		§378.518	Who is responsible for creating appeal procedures for sponsored day care homes?			§25.518	Who is responsible for creating appeal procedures for sponsored day care homes?
		§378.519	When is a contractor required to provide a day care home with appeal procedures?			§25.519	When is a contractor required to provide a day care home with appeal procedures?
		§378.520	What is an adverse action?			§25.520	What is an adverse action?
	<b>B</b>		<b>Summer Food Service Program (SFSP)</b>		<b>B</b>		<b>Summer Food Service Program (SFSP)</b>
<b>Division 1</b>			<b>Overview and Purpose</b>	<b>Division 1</b>			<b>Overview and Purpose</b>
		§378.601	What is the purpose of the Summer Food Service Program (SFSP)?			§25.601	What is the purpose of the Summer Food Service Program (SFSP)?
		§378.602	What do certain words and terms in this subchapter mean?			§25.602	What do certain words and terms in this subchapter mean?
		§378.603	How is the SFSP authorized?			§25.603	How is the SFSP authorized?
<b>Division 2</b>				<b>Division 2</b>			
		§378.611	How do sponsors qualify to participate in the SFSP?			§25.611	How do sponsors qualify to participate in the SFSP?
		§378.612	Are public school districts required to participate in the SFSP?			§25.612	Are public school districts required to participate in the SFSP?
		§378.613	If public schools are approved to participate in the National School Lunch Program, are they eligible to participate in the SFSP?			§25.613	If public schools are approved to participate in the National School Lunch Program, are they eligible to participate in the SFSP?

		§378.614	Are any sponsors required to submit proof of tax-exempt status?			§25.614	Are any sponsors required to submit proof of tax-exempt status?
		§378.615	Can a college or university participate as an SFSP sponsor on a year-round basis?			§25.615	Can a college or university participate as an SFSP sponsor on a year-round basis?
		§378.616	Does DHS approve applications from potential sponsors that do not provide year-round service to the communities they propose to serve?			§25.616	Does DHS approve applications from potential sponsors that do not provide year-round service to the communities they propose to serve?
		§378.617	Does DHS use a priority system when approving applicants that propose to serve the same area or the same enrolled children?			§25.617	Does DHS use a priority system when approving applicants that propose to serve the same area or the same enrolled children?
		§378.618	What documentation is a sponsor required to submit to show compliance with the Single Audit Act?			§25.618	What documentation is a sponsor required to submit to show compliance with the Single Audit Act?
<b>Division 3</b>			<b>Application Process</b>	<b>Division 3</b>			<b>Application Process</b>
		§378.641	How does a sponsor apply to participate in the SFSP?			§25.641	How does a sponsor apply to participate in the SFSP?
		§378.642	What must a sponsor do if the information in its application changes?			§25.642	What must a sponsor do if the information in its application changes?
		§378.643	What criteria does DHS use to approve or deny applications?			§25.643	What criteria does DHS use to approve or deny applications?
<b>Division 4</b>			<b>Sponsor Standards and Responsibilities</b>	<b>Division 4</b>			<b>Sponsor Standards and Responsibilities</b>
		§378.651	What are the rights and responsibilities of a sponsor that participates in the SFSP?			§25.651	What are the rights and responsibilities of a sponsor that participates in the SFSP?
		§378.652	Must a sponsor implement a particular financial management system?			§25.652	Must a sponsor implement a particular financial management system?
		§378.653	Must a sponsor maintain records and documents related to its participation in the SFSP?			§25.653	Must a sponsor maintain records and documents related to its participation in the SFSP?
		§378.654	How long must a sponsor maintain records and documents pertaining to the program?			§25.654	How long must a sponsor maintain records and documents pertaining to the program?
		§378.655	When is litigation, a claim, an audit, or an investigation finding considered resolved?			§25.655	When is litigation, a claim, an audit, or an investigation finding considered resolved?
		§378.656	Must a sponsor permit DHS to access its facilities and records?			§25.656	Must a sponsor permit DHS to access its facilities and records?

		§378.657	How must a sponsor procure foods, supplies, equipment, and other goods and services for the SFSP?			§25.657	How must a sponsor procure foods, supplies, equipment, and other goods and services for the SFSP?
		§378.658	Must a sponsor manage its meal service according to any specific guidelines?			§25.658	Must a sponsor manage its meal service according to any specific guidelines?
		§378.659	How does a sponsor determine a participant's eligibility for free or reduced-price school meals?			§25.659	How does a sponsor determine a participant's eligibility for free or reduced-price school meals?
		§378.660	Must a sponsor comply with specific health standards when operating its food service?			§25.660	Must a sponsor comply with specific health standards when operating its food service?
		§378.661	Must a sponsor prevent discrimination against participants in its SFSP operations?			§25.661	Must a sponsor prevent discrimination against participants in its SFSP operations?
		§378.662	Will a sponsor be discriminated against in the SFSP?			§25.662	Will a sponsor be discriminated against in the SFSP?
<b>Division 5</b>			<b>Budgets</b>	<b>Division 5</b>			<b>Budgets</b>
		§378.681	How must a sponsor submit an administrative budget for DHS approval?			§25.681	How must a sponsor submit an administrative budget for DHS approval?
		§378.682	Can a sponsor adjust its approved budget?			§25.682	Can a sponsor adjust its approved budget?
		§378.683	When must a sponsor submit budget information to DHS?			§25.683	When must a sponsor submit budget information to DHS?
		§378.684	Will DHS approve a budget adjustment retroactively?			§25.684	Will DHS approve a budget adjustment retroactively?
<b>Division 6</b>			<b>Food Service Management Companies</b>	<b>Division 6</b>			<b>Food Service Management Companies</b>
		§378.691	Can a sponsor contract with a food service management company or school food authority to obtain meals?			§25.691	Can a sponsor contract with a food service management company or school food authority to obtain meals?
		§378.692	How does a sponsor contract for the services of a food service management company (FSMC) or school food authority (SFA)?			§25.692	How does a sponsor contract for the services of a food service management company (FSMC) or school food authority (SFA)?
		§378.693	If a sponsor purchases meals from a food service management company, must it establish a special account for operating costs?			§25.693	If a sponsor purchases meals from a food service management company, must it establish a special account for operating costs?
<b>Division 7</b>			<b>Start-Up and Advance Payments</b>	<b>Division 7</b>			<b>Start-Up and Advance Payments</b>
		§378.701	Does DHS provide start-up payments to sponsors?			§25.701	Does DHS provide start-up payments to sponsors?



		§378.702	Does DHS provide advance payment to sponsors before the end of the month in which the costs will be incurred?			§25.702	Does DHS provide advance payment to sponsors before the end of the month in which the costs will be incurred?
		§378.703	Is there a limit to the amount of an advance payment?			§25.703	Is there a limit to the amount of an advance payment?
<b>Division 8</b>			<b>Commodities</b>	<b>Division 8</b>			<b>Commodities</b>
		§378.711	Does DHS provide commodity assistance to sponsors?			§25.711	Does DHS provide commodity assistance to sponsors?
		§378.712	How must a sponsor use these commodities?			§25.712	How must a sponsor use these commodities?
<b>Division 9</b>			<b>Reimbursement</b>	<b>Division 9</b>			<b>Reimbursement</b>
		§378.721	Must a sponsor follow specific guidelines when claiming reimbursement?			§25.721	Must a sponsor follow specific guidelines when claiming reimbursement?
		§378.722	Under what authority does DHS reimburse sponsors in the SFSP?			§25.722	Under what authority does DHS reimburse sponsors in the SFSP?
		§378.723	Does DHS reimburse the cost of meals served to adults performing labor necessary for the operation of the SFSP?			§25.723	Does DHS reimburse the cost of meals served to adults performing labor necessary for the operation of the SFSP?
		§378.724	Does DHS provide supplemental reimbursement for meals served to children?			§25.724	Does DHS provide supplemental reimbursement for meals served to children?
		§378.725	Is there a specific deadline by which a sponsor must submit a claim for reimbursement?			§25.725	Is there a specific deadline by which a sponsor must submit a claim for reimbursement?
		§378.726	When must a sponsor combine two consecutive months of service on a single claim for reimbursement?			§25.726	When must a sponsor combine two consecutive months of service on a single claim for reimbursement?
		§378.727	Is there a specific deadline by which a sponsor must submit a claim for reimbursement of two consecutive months of service?			§25.727	Is there a specific deadline by which a sponsor must submit a claim for reimbursement of two consecutive months of service?
		§378.728	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?			§25.728	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?
		§378.729	How does DHS handle a claim received later than 60 days after the end of the claim month(s)?			§25.729	How does DHS handle a claim received later than 60 days after the end of the claim month(s)?
		§378.730	What happens if DHS finds that good cause did not exist?			§25.730	What happens if DHS finds that good cause did not exist?

		§378.731	What happens if DHS finds that good cause beyond the sponsor's control existed?			§25.731	What happens if DHS finds that good cause beyond the sponsor's control existed?
		§378.732	What happens if USDA finds that good cause existed?			§25.732	What happens if USDA finds that good cause existed?
		§378.733	What happens if USDA finds that good cause did not exist?			§25.733	What happens if USDA finds that good cause did not exist?
		§378.734	Does a sponsor have the option not to submit a request for payment of a late claim based on good cause?			§25.734	Does a sponsor have the option not to submit a request for payment of a late claim based on good cause?
		§378.735	If a sponsor chooses not to submit a request for payment of a late claim based on good cause, can a sponsor still be reimbursed for that claim?			§25.735	If a sponsor chooses not to submit a request for payment of a late claim based on good cause, can a sponsor still be reimbursed for that claim?
<b>Division 10</b>			<b>Program Reviews and Technical Assistance</b>	<b>Division 10</b>			<b>Program Reviews and Technical Assistance</b>
		§378.751	Does DHS monitor a sponsor's activities?			§25.751	Does DHS monitor a sponsor's activities?
		§378.752	Is a sponsor required to administer and monitor its program operations?			§25.752	Is a sponsor required to administer and monitor its program operations?
		§378.753	Is a sponsor required to conduct reviews of its facilities?			§25.753	Is a sponsor required to conduct reviews of its facilities?
<b>Division 11</b>			<b>Audits</b>	<b>Division 11</b>			<b>Audits</b>
		§378.761	Is a sponsor that participates in the SFSP subject to audit?			§25.761	Is a sponsor that participates in the SFSP subject to audit?
		§378.762	Are certain sponsors exempt from the single audit requirements?			§25.762	Are certain sponsors exempt from the single audit requirements?
		§378.763	When is an audit considered acceptable?			§25.763	When is an audit considered acceptable?
		§378.764	How is a sponsor informed of its obligation to comply with the single audit requirements?			§25.764	How is a sponsor informed of its obligation to comply with the single audit requirements?
<b>Division 12</b>			<b>Sanctions and Penalties</b>	<b>Division 12</b>			<b>Sanctions and Penalties</b>
		§378.771	Does DHS investigate irregularities in or complaints about a sponsor's operation of the SFSP?			§25.771	Does DHS investigate irregularities in or complaints about a sponsor's operation of the SFSP?
		§378.772	What does DHS do if a sponsor that is subject to single audit requirements fails to submit an audit as required?			§25.772	What does DHS do if a sponsor that is subject to single audit requirements fails to submit an audit as required?
		§378.773	Can a sponsor appeal this action?			§25.773	Can a sponsor appeal this action?

		§378.774	What does DHS do if extenuating circumstances prevent a sponsor from conducting an audit as required?			§25.774	What does DHS do if extenuating circumstances prevent a sponsor from conducting an audit as required?
		§378.775	Who must pay for this audit?			§25.775	Who must pay for this audit?
		§378.776	What does DHS do if a sponsor submits an audit that does not meet the single audit requirements as specified in 7 CFR Part 3052?			§25.776	What does DHS do if a sponsor submits an audit that does not meet the single audit requirements as specified in 7 CFR Part 3052?
		§378.777	Can DHS extend the deadline by which a sponsor must submit an audit?			§25.777	Can DHS extend the deadline by which a sponsor must submit an audit?
		§378.778	How must a sponsor request an extension of its audit deadline?			§25.778	How must a sponsor request an extension of its audit deadline?
		§378.779	Is DHS required to grant a sponsor an extension of its audit deadline?			§25.779	Is DHS required to grant a sponsor an extension of its audit deadline?
		§378.780	How is a new audit due date determined?			§25.780	How is a new audit due date determined?
		§378.781	How is the sponsor informed of the decision regarding the extension of its audit due date?			§25.781	How is the sponsor informed of the decision regarding the extension of its audit due date?
		§378.782	Can a sponsor request more than one extension?			§25.782	Can a sponsor request more than one extension?
		§378.783	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?			§25.783	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?
		§378.784	Can a sponsor participate in any of the Special Nutrition Programs if DHS terminates its participation in the SFSP for failing to comply with the single audit requirements as stated in 7 CFR Part 3052?			§25.784	Can a sponsor participate in any of the Special Nutrition Programs if DHS terminates its participation in the SFSP for failing to comply with the single audit requirements as stated in 7 CFR Part 3052?
<b>Division 13</b>			<b>Suspension and Termination</b>	<b>Division 13</b>			<b>Suspension and Termination</b>
		§378.801	What regulations does DHS use to deny an application for participation in the SFSP and to terminate an agreement between DHS and a sponsor?			§25.801	What regulations does DHS use to deny an application for participation in the SFSP and to terminate an agreement between DHS and a sponsor?
<b>Division 14</b>			<b>Appeals</b>	<b>Division 14</b>			<b>Appeals</b>
		§378.811	How does a sponsor or food service management company (FSMC) appeal an adverse action by DHS?			§25.811	How does a sponsor or food service management company (FSMC) appeal an adverse action by DHS?

		§378.812	When must a sponsor or food service management company (FSMC) submit an appeal?			§25.812	When must a sponsor or food service management company (FSMC) submit an appeal?
		§378.813	If DHS declines to forward a late claim to USDA for a determination of good cause, can a sponsor appeal this decision?			§25.813	If DHS declines to forward a late claim to USDA for a determination of good cause, can a sponsor appeal this decision?
		§378.814	Can a sponsor appeal a USDA decision that a late claim is ineligible for payment?			§25.814	Can a sponsor appeal a USDA decision that a late claim is ineligible for payment?
	<b>C</b>		<b>Special Milk Program (SMP)</b>		<b>C</b>		<b>Special Milk Program (SMP)</b>
<b>Division 1</b>			<b>Overview and Purpose</b>	<b>Division 1</b>			<b>Overview and Purpose</b>
		§378.871	What is the purpose of the Special Milk Program (SMP)?			§25.871	What is the purpose of the Special Milk Program (SMP)?
		§378.872	What do certain words and terms in the subchapter mean?			§25.872	What do certain words and terms in the subchapter mean?
		§378.873	How is the SMP administered in Texas?			§25.873	How is the SMP administered in Texas?
<b>Division 2</b>			<b>Contractor Eligibility</b>	<b>Division 2</b>			<b>Contractor Eligibility</b>
		§378.881	How does a contractor qualify to participate in the SMP?			§25.881	How does a contractor qualify to participate in the SMP?
		§378.882	What information must a contractor submit when applying to participate in the SMP?			§25.882	What information must a contractor submit when applying to participate in the SMP?
<b>Division 3</b>			<b>Contractor Participation Requirements and Responsibilities</b>	<b>Division 3</b>			<b>Contractor Participation Requirements and Responsibilities</b>
		§378.901	What are the rights and responsibilities of a contractor that participates in the SMP?			§25.901	What are the rights and responsibilities of a contractor that participates in the SMP?
		§378.902	Is a contractor that participates in the SMP subject to federal and state procurement guidelines?			§25.902	Is a contractor that participates in the SMP subject to federal and state procurement guidelines?
		§378.903	How does a contractor determine if an individual is eligible to participate and receive benefits in the SMP?			§25.903	How does a contractor determine if an individual is eligible to participate and receive benefits in the SMP?
<b>Division 4</b>			<b>Reimbursement and Financial Management</b>	<b>Division 4</b>			<b>Reimbursement and Financial Management</b>
		§378.921	How does DHS reimburse a contractor for its participation in the SMP?			§25.921	How does DHS reimburse a contractor for its participation in the SMP?

		§378.922	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?			§25.922	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?
		§378.923	How does DHS process a claim received later than 60 days after the end of the claim month(s)?			§25.923	How does DHS process a claim received later than 60 days after the end of the claim month(s)?
		§378.924	What happens if DHS finds that good cause did not exist?			§25.924	What happens if DHS finds that good cause did not exist?
		§378.925	What happens if DHS finds that good cause beyond the contractor's control existed?			§25.925	What happens if DHS finds that good cause beyond the contractor's control existed?
		§378.926	What happens if USDA finds that good cause existed?			§25.926	What happens if USDA finds that good cause existed?
		§378.927	What happens if USDA finds that good cause did not exist?			§25.927	What happens if USDA finds that good cause did not exist?
		§378.928	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?			§25.928	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?
		§378.929	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?			§25.929	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?
<b>Division 5</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>	<b>Division 5</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>
		§378.941	How does DHS ensure that a contractor complies with SMP requirements?			§25.941	How does DHS ensure that a contractor complies with SMP requirements?
		§378.942	Does the USDA conduct management evaluations of contractors operating the SMP?			§25.942	Does the USDA conduct management evaluations of contractors operating the SMP?
<b>Division 6</b>			<b>Audits</b>	<b>Division 6</b>			<b>Audits</b>
		§378.951	Must a contractor that participates in the SMP conduct audits?			§25.951	Must a contractor that participates in the SMP conduct audits?
		§378.952	Must a contractor that participates in the SMP comply with the requirements of the Single Audit Act?			§25.952	Must a contractor that participates in the SMP comply with the requirements of the Single Audit Act?
		§378.953	Are certain contractors not subject to the requirements of the Single Audit Act?			§25.953	Are certain contractors not subject to the requirements of the Single Audit Act?
		§378.954	When is an audit considered acceptable?			§25.954	When is an audit considered acceptable?

		§378.955	How is a contractor informed of its obligation to comply with the single audit requirements?			§25.955	How is a contractor informed of its obligation to comply with the single audit requirements?
<b>Division 7</b>			<b>Sanctions, Penalties, and Fiscal Action</b>	<b>Division 7</b>			<b>Sanctions, Penalties, and Fiscal Action</b>
		§378.971	How does DHS penalize a contractor who is found guilty of embezzling, willfully misapplying, stealing, or obtaining by fraud any funds, assets, or property, whether received directly or indirectly from DHS?			§25.971	How does DHS penalize a contractor who is found guilty of embezzling, willfully misapplying, stealing, or obtaining by fraud any funds, assets, or property, whether received directly or indirectly from DHS?
		§378.972	Does DHS take fiscal action against a contractor that fails to comply with the program requirements specified in 7 CFR Parts 215 and 245?			§25.972	Does DHS take fiscal action against a contractor that fails to comply with the program requirements specified in 7 CFR Parts 215 and 245?
		§378.973	Does DHS investigate irregularities in or complaints about a contractor's operation of the SMP?			§25.973	Does DHS investigate irregularities in or complaints about a contractor's operation of the SMP?
		§378.974	What does DHS do if a contractor that is subject to single audit requirements fails to submit an audit as required?			§25.974	What does DHS do if a contractor that is subject to single audit requirements fails to submit an audit as required?
		§378.975	What does DHS do if extenuating circumstances prevent a contractor from conducting an audit as required?			§25.975	What does DHS do if extenuating circumstances prevent a contractor from conducting an audit as required?
		§378.976	Who must pay for this audit?			§25.976	Who must pay for this audit?
		§378.977	What does DHS do if a contractor submits an audit that does not meet the single audit requirements specified in 7 CFR Part 3052?			§25.977	What does DHS do if a contractor submits an audit that does not meet the single audit requirements specified in 7 CFR Part 3052?
		§378.978	Can DHS extend the deadline by which a contractor must submit an audit?			§25.978	Can DHS extend the deadline by which a contractor must submit an audit?
		§378.979	How must a contractor request an extension of its audit deadline?			§25.979	How must a contractor request an extension of its audit deadline?
		§378.980	Is DHS required to grant a contractor an extension of its audit deadline?			§25.980	Is DHS required to grant a contractor an extension of its audit deadline?
		§378.981	How is a new audit due date determined?			§25.981	How is a new audit due date determined?

		§378.982	How is the contractor informed of the decision regarding the extension of its audit due date?			§25.982	How is the contractor informed of the decision regarding the extension of its audit due date?
		§378.983	Can a contractor request more than one extension?			§25.983	Can a contractor request more than one extension?
		§378.984	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?			§25.984	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?
		§378.985	Can a contractor participate in any of the Special Nutrition Programs if DHS terminates its participation in the SMP for failing to comply with the single audit requirements?			§25.985	Can a contractor participate in any of the Special Nutrition Programs if DHS terminates its participation in the SMP for failing to comply with the single audit requirements?
<b>Division 8</b>			<b>Suspension and Termination</b>	<b>Division 8</b>			<b>Suspension and Termination</b>
		§378.991	How does DHS terminate or suspend a contract?			§25.991	How does DHS terminate or suspend a contract?
<b>Division 9</b>			<b>Appeals</b>	<b>Division 9</b>			<b>Appeals</b>
		§378.1001	Does a contractor applying to participate in the SMP have the right to appeal the denial of its contract application?			§25.1001	Does a contractor applying to participate in the SMP have the right to appeal the denial of its contract application?
		§378.1002	Does a contractor participating in the SMP have the right to appeal any action that affects its continued participation in the SMP or affects its claim for reimbursement?			§25.1002	Does a contractor participating in the SMP have the right to appeal any action that affects its continued participation in the SMP or affects its claim for reimbursement?
	<b>D</b>		<b>School Breakfast Program (SBP)</b>		<b>D</b>		<b>School Breakfast Program (SBP)</b>
<b>Division 1</b>			<b>Overview and Purpose</b>	<b>Division 1</b>			<b>Overview and Purpose</b>
		§378.1051	What is the purpose of the School Breakfast Program (SBP)?			§25.1051	What is the purpose of the School Breakfast Program (SBP)?
		§378.1052	What do certain words and terms in this subchapter mean?			§25.1052	What do certain words and terms in this subchapter mean?
		§378.1053	How is the SBP administered in Texas?			§25.1053	How is the SBP administered in Texas?
<b>Division 2</b>			<b>Contractor Eligibility</b>	<b>Division 2</b>			<b>Contractor Eligibility</b>
		§378.1071	How does a contractor qualify to participate in the SBP?			§25.1071	How does a contractor qualify to participate in the SBP?
		§378.1072	What information must a contractor submit when applying to participate in the SBP?			§25.1072	What information must a contractor submit when applying to participate in the SBP?

Division 3		Contractor Participation Requirements and Responsibilities		Division 3		Contractor Participation Requirements and Responsibilities	
		§378.1091	What are the rights and responsibilities of a contractor that participates in the SBP?			§25.1091	What are the rights and responsibilities of a contractor that participates in the SBP?
		§378.1092	Does DHS impose any special curriculum or educational conditions or restrictions as a requirement for participation in the SBP?			§25.1092	Does DHS impose any special curriculum or educational conditions or restrictions as a requirement for participation in the SBP?
		§378.1093	Is a contractor that participates in the SBP subject to federal and state procurement guidelines?			§25.1093	Is a contractor that participates in the SBP subject to federal and state procurement guidelines?
		§378.1094	How does a contractor determine if an individual is eligible to participate and receive benefits in the SBP?			§25.1094	How does a contractor determine if an individual is eligible to participate and receive benefits in the SBP?
Division 4		Reimbursement and Financial Management		Division 4		Reimbursement and Financial Management	
		§378.1101	How does DHS reimburse a contractor for its participation in the SBP?			§25.1101	How does DHS reimburse a contractor for its participation in the SBP?
		§378.1102	Does DHS make advance payments?			§25.1102	Does DHS make advance payments?
		§378.1103	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?			§25.1103	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?
		§378.1104	How does DHS process a claim received later than 60 days after the end of the claim month(s)?			§25.1104	How does DHS process a claim received later than 60 days after the end of the claim month(s)?
		§378.1105	What happens if DHS finds that good cause did not exist?			§25.1105	What happens if DHS finds that good cause did not exist?
		§378.1106	What happens if DHS finds that good cause beyond the contractor's control existed?			§25.1106	What happens if DHS finds that good cause beyond the contractor's control existed?
		§378.1107	What happens if USDA finds that good cause existed?			§25.1107	What happens if USDA finds that good cause existed?
		§378.1108	What happens if USDA finds that good cause did not exist?			§25.1108	What happens if USDA finds that good cause did not exist?
		§378.1109	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?			§25.1109	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?



		§378.1110	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?			§25.1110	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?
<b>Division 5</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>	<b>Division 5</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>
		§378.1121	How does DHS ensure that a contractor complies with SBP requirements?			§25.1121	How does DHS ensure that a contractor complies with SBP requirements?
		§378.1122	Does the USDA conduct management evaluations of contractors operating the SBP?			§25.1122	Does the USDA conduct management evaluations of contractors operating the SBP?
<b>Division 6</b>			<b>Audits</b>	<b>Division 6</b>			<b>Audits</b>
		§378.1131	Must a contractor that participates in the SBP conduct audits?			§25.1131	Must a contractor that participates in the SBP conduct audits?
		§378.1132	Must a contractor that participates in the SBP comply with the requirements of the Single Audit Act?			§25.1132	Must a contractor that participates in the SBP comply with the requirements of the Single Audit Act?
		§378.1133	Are certain contractors not subject to the requirements of the Single Audit Act?			§25.1133	Are certain contractors not subject to the requirements of the Single Audit Act?
		§378.1134	When is an audit considered acceptable?			§25.1134	When is an audit considered acceptable?
		§378.1135	How is a contractor informed of its obligation to comply with the single audit requirements?			§25.1135	How is a contractor informed of its obligation to comply with the single audit requirements?
<b>Division 7</b>			<b>Sanctions, Penalties, and Fiscal Action</b>	<b>Division 7</b>			<b>Sanctions, Penalties, and Fiscal Action</b>
		§378.1151	How does DHS penalize a contractor who is found guilty of embezzling, willfully misapplying, stealing, or obtaining by fraud any funds, assets, or property, whether received directly or indirectly from DHS?			§25.1151	How does DHS penalize a contractor who is found guilty of embezzling, willfully misapplying, stealing, or obtaining by fraud any funds, assets, or property, whether received directly or indirectly from DHS?
		§378.1152	Does DHS take fiscal action against a contractor that fails to comply with the program requirements specified in 7 CFR Parts 220 and 245?			§25.1152	Does DHS take fiscal action against a contractor that fails to comply with the program requirements specified in 7 CFR Parts 220 and 245?
		§378.1153	Does DHS investigate irregularities in or complaints about a contractor's operation of the SBP?			§25.1153	Does DHS investigate irregularities in or complaints about a contractor's operation of the SBP?

		§378.1154	What does DHS do if a contractor that is subject to single audit requirements fails to submit an audit as required?			§25.1154	What does DHS do if a contractor that is subject to single audit requirements fails to submit an audit as required?
		§378.1155	What does DHS do if extenuating circumstances prevent a contractor from conducting an audit as required?			§25.1155	What does DHS do if extenuating circumstances prevent a contractor from conducting an audit as required?
		§378.1156	Who must pay for this audit?			§25.1156	Who must pay for this audit?
		§378.1157	What does DHS do if a contractor submits an audit that does not meet the single audit requirements specified in 7 CFR Part 3052?			§25.1157	What does DHS do if a contractor submits an audit that does not meet the single audit requirements specified in 7 CFR Part 3052?
		§378.1158	Can DHS extend the deadline by which a contractor must submit an audit?			§25.1158	Can DHS extend the deadline by which a contractor must submit an audit?
		§378.1159	How must a contractor request an extension of its audit deadline?			§25.1159	How must a contractor request an extension of its audit deadline?
		§378.1160	Is DHS required to grant a contractor an extension of its audit deadline?			§25.1160	Is DHS required to grant a contractor an extension of its audit deadline?
		§378.1161	How is a new audit due date determined?			§25.1161	How is a new audit due date determined?
		§378.1162	How is the contractor informed of the decision regarding the extension of its audit due date?			§25.1162	How is the contractor informed of the decision regarding the extension of its audit due date?
		§378.1163	Can a contractor request more than one extension?			§25.1163	Can a contractor request more than one extension?
		§378.1164	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?			§25.1164	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?
		§378.1165	Can a contractor participate in any of the Special Nutrition Programs if DHS terminates its participation in the SBP for failing to comply with the single audit requirements?			§25.1165	Can a contractor participate in any of the Special Nutrition Programs if DHS terminates its participation in the SBP for failing to comply with the single audit requirements?
<b>Division 8</b>			<b>Suspension and Termination</b>	<b>Division 8</b>			<b>Suspension and Termination</b>
		§378.1191	How does DHS terminate or suspend a contract?			§25.1191	How does DHS terminate or suspend a contract?
<b>Division 9</b>			<b>Appeals</b>	<b>Division 9</b>			<b>Appeals</b>

		§378.1201	Does a contractor applying to participate in the SBP have the right to appeal the denial of its contract application?			§25.1201	Does a contractor applying to participate in the SBP have the right to appeal the denial of its contract application?
		§378.1202	Does a contractor participating in the SBP have the right to appeal any action that affects its continued participation in the SBP or affects its claim for reimbursement?			§25.1202	Does a contractor participating in the SBP have the right to appeal any action that affects its continued participation in the SBP or affects its claim for reimbursement?
	<b>E</b>		<b>National School Lunch Program (NSLP)</b>		<b>E</b>		<b>National School Lunch Program (NSLP)</b>
<b>Division 1</b>			<b>Overview and Purpose</b>	<b>Division 1</b>			<b>Overview and Purpose</b>
		§378.1251	What is the purpose of the National School Lunch Program (NSLP)?			§25.1251	What is the purpose of the National School Lunch Program (NSLP)?
		§378.1252	What do certain words and terms in this subchapter mean?			§25.1252	What do certain words and terms in this subchapter mean?
		§378.1253	How is the NSLP administered in Texas?			§25.1253	How is the NSLP administered in Texas?
<b>Division 2</b>			<b>Contractor Eligibility</b>	<b>Division 2</b>			<b>Contractor Eligibility</b>
		§378.1261	How does a contractor qualify to participate in the NSLP?			§25.1261	How does a contractor qualify to participate in the NSLP?
		§378.1262	What information must a contractor submit when applying to participate in the NSLP?			§25.1262	What information must a contractor submit when applying to participate in the NSLP?
		§378.1263	Must a school food authority (SFA) meet any specific requirements in order to be eligible to administer an Afterschool Care Snack program in the NSLP?			§25.1263	Must a school food authority (SFA) meet any specific requirements in order to be eligible to administer an Afterschool Care Snack program in the NSLP?
		§378.1264	What documentation must a school food authority (SFA) provide to demonstrate that an Afterschool Care Snack program facility has been determined exempt from state licensing requirements?			§25.1264	What documentation must a school food authority (SFA) provide to demonstrate that an Afterschool Care Snack program facility has been determined exempt from state licensing requirements?
<b>Division 3</b>			<b>Contractor Participation Requirements and Responsibilities</b>	<b>Division 3</b>			<b>Contractor Participation Requirements and Responsibilities</b>
		§378.1281	What are the rights and responsibilities of a contractor that participates in the NSLP?			§25.1281	What are the rights and responsibilities of a contractor that participates in the NSLP?

		§378.1282	Does DHS impose any special curriculum or educational conditions or restrictions as a requirement for participation in the NSLP?			§25.1282	Does DHS impose any special curriculum or educational conditions or restrictions as a requirement for participation in the NSLP?
		§378.1283	Is a contractor that participates in the NSLP subject to federal and state procurement guidelines?			§25.1283	Is a contractor that participates in the NSLP subject to federal and state procurement guidelines?
		§378.1284	How does a contractor determine if an individual is eligible to participate and receive benefits in the NSLP?			§25.1284	How does a contractor determine if an individual is eligible to participate and receive benefits in the NSLP?
<b>Division 4</b>			<b>Reimbursement and Financial Management</b>	<b>Division 4</b>			<b>Reimbursement and Financial Management</b>
		§378.1301	How does DHS reimburse a contractor for its participation in the NSLP?			§25.1301	How does DHS reimburse a contractor for its participation in the NSLP?
		§378.1302	Does DHS make advance payments?			§25.1302	Does DHS make advance payments?
		§378.1303	Can a school participating in an approved after school program claim reimbursement for snacks?			§25.1303	Can a school participating in an approved after school program claim reimbursement for snacks?
		§378.1304	How does DHS determine the rate of reimbursement for eligible snacks served in an after school program?			§25.1304	How does DHS determine the rate of reimbursement for eligible snacks served in an after school program?
		§378.1305	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?			§25.1305	Will DHS pay a claim for reimbursement if it is received or postmarked later than 60 days after the end of the claim month?
		§378.1306	How does DHS process a claim received later than 60 days after the end of the claim month(s)?			§25.1306	How does DHS process a claim received later than 60 days after the end of the claim month(s)?
		§378.1307	What happens if DHS finds that good cause did not exist?			§25.1307	What happens if DHS finds that good cause did not exist?
		§378.1308	What happens if DHS finds that good cause beyond the contractor's control existed?			§25.1308	What happens if DHS finds that good cause beyond the contractor's control existed?
		§378.1309	What happens if USDA finds that good cause existed?			§25.1309	What happens if USDA finds that good cause existed?
		§378.1310	What happens if USDA finds that good cause did not exist?			§25.1310	What happens if USDA finds that good cause did not exist?
		§378.1311	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?			§25.1311	Does a contractor have the option not to submit a request for payment of a late claim based on good cause?

		§378.1312	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?			§25.1312	If a contractor chooses not to submit a request for payment of a late claim based on good cause, can a contractor still be reimbursed for that claim?
<b>Division 5</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>	<b>Division 5</b>			<b>Program Reviews, Monitoring, and Management Evaluations</b>
		§378.1331	How does DHS ensure that a contractor complies with NSLP requirements?			§25.1331	How does DHS ensure that a contractor complies with NSLP requirements?
		§378.1332	Does USDA conduct management evaluations of contractors operating the NSLP?			§25.1332	Does USDA conduct management evaluations of contractors operating the NSLP?
<b>Division 6</b>			<b>Audits</b>	<b>Division 6</b>			<b>Audits</b>
		§378.1341	Must a contractor that participates in the NSLP conduct audits?			§25.1341	Must a contractor that participates in the NSLP conduct audits?
		§378.1342	Must a contractor that participates in the NSLP comply with the requirements of the Single Audit Act?			§25.1342	Must a contractor that participates in the NSLP comply with the requirements of the Single Audit Act?
		§378.1343	Are certain contractors not subject to the requirements of the Single Audit Act?			§25.1343	Are certain contractors not subject to the requirements of the Single Audit Act?
		§378.1344	When is an audit considered acceptable?			§25.1344	When is an audit considered acceptable?
		§378.1345	How is a contractor informed of its obligation to comply with the single audit requirements?			§25.1345	How is a contractor informed of its obligation to comply with the single audit requirements?
<b>Division 7</b>			<b>Sanctions, Penalties, and Fiscal Action</b>	<b>Division 7</b>			<b>Sanctions, Penalties, and Fiscal Action</b>
		§378.1361	How does DHS penalize a contractor who is found guilty of embezzling, willfully misapplying, stealing, or obtaining by fraud any funds, assets, or property, whether received directly or indirectly from DHS?			§25.1361	How does DHS penalize a contractor who is found guilty of embezzling, willfully misapplying, stealing, or obtaining by fraud any funds, assets, or property, whether received directly or indirectly from DHS?
		§378.1362	Does DHS take fiscal action against a contractor that fails to comply with the program requirements specified in 7 CFR Parts 210 and 245?			§25.1362	Does DHS take fiscal action against a contractor that fails to comply with the program requirements specified in 7 CFR Parts 210 and 245?
		§378.1363	Does DHS investigate irregularities in or complaints about a contractor's operation of the NSLP?			§25.1363	Does DHS investigate irregularities in or complaints about a contractor's operation of the NSLP?

		§378.1364	What does DHS do if a contractor that is subject to single audit requirements fails to submit an audit as required?			§25.1364	What does DHS do if a contractor that is subject to single audit requirements fails to submit an audit as required?
		§378.1365	What does DHS do if extenuating circumstances prevent a contractor from conducting an audit as required?			§25.1365	What does DHS do if extenuating circumstances prevent a contractor from conducting an audit as required?
		§378.1366	Who must pay for this audit?			§25.1366	Who must pay for this audit?
		§378.1367	What does DHS do if a contractor submits an audit that does not meet the single audit requirements specified in 7 CFR Part 3052?			§25.1367	What does DHS do if a contractor submits an audit that does not meet the single audit requirements specified in 7 CFR Part 3052?
		§378.1368	Can DHS extend the deadline by which a contractor must submit an audit?			§25.1368	Can DHS extend the deadline by which a contractor must submit an audit?
		§378.1369	How must a contractor request an extension of its audit deadline?			§25.1369	How must a contractor request an extension of its audit deadline?
		§378.1370	Is DHS required to grant a contractor an extension of its audit deadline?			§25.1370	Is DHS required to grant a contractor an extension of its audit deadline?
		§378.1371	How is a new audit due date determined?			§25.1371	How is a new audit due date determined?
		§378.1372	How is the contractor informed of the decision regarding the extension of its audit due date?			§25.1372	How is the contractor informed of the decision regarding the extension of its audit due date?
		§378.1373	Can a contractor request more than one extension?			§25.1373	Can a contractor request more than one extension?
		§378.1374	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?			§25.1374	What does DHS do if DHS does not receive an audit by the specified deadline and an extension of the deadline has not been granted?
		§378.1375	Can a contractor participate in any of the Special Nutrition Programs if DHS terminates its participation in the NSLP for failing to comply with the single audit requirements?			§25.1375	Can a contractor participate in any of the Special Nutrition Programs if DHS terminates its participation in the NSLP for failing to comply with the single audit requirements?
<b>Division 8</b>			<b>Suspension and Termination</b>	<b>Division 8</b>			<b>Suspension and Termination</b>
		§378.1401	How does DHS terminate or suspend contracts?			§25.1401	How does DHS terminate or suspend contracts?
<b>Division 9</b>			<b>Appeals</b>	<b>Division 9</b>			<b>Appeals</b>

		§378.1411	Does a contractor applying to participate in the NSLP have the right to appeal the denial of its contract application?			§25.1411	Does a contractor applying to participate in the NSLP have the right to appeal the denial of its contract application?
		§378.1412	Does a contractor participating in the NSLP have the right to appeal any action that affects its continued participation in the NSLP or affects its claim for reimbursement?			§25.1412	Does a contractor participating in the NSLP have the right to appeal any action that affects its continued participation in the NSLP or affects its claim for reimbursement?