



## Administrative Policies and Procedures: 9.06

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<b>Subject</b>	Child and Adult Care Food Program (CACFP) and Summer Food Service Program (SFSP) Background Checks	
<b>Approved by</b>	Cherrell Campbell-Street, Chief Officer RCSS	<b>Approval Date: 7/20/16</b> <b>Effective Date: 8/1/16</b>
<b>Authority</b>	Public Chapter 798	
<b>Application</b>	Tennessee Department of Human Services (TDHS) Child and Adult Care Food Program (CACFP) and SFSP (Summer Food Service Program) Staff and Sponsors	

### Policy Statement

All potential sponsors in the CACFP and SFSP programs must undergo a background check prior to application approval.

### Purpose

This policy was developed to eliminate the potential of approving sponsors to participate in CACFP or SFSP who have a criminal history that indicates a lack of business integrity, and to ensure all applicants are eligible to participate in the food program based on the results of a criminal background check.

### Procedures

- A. Background Check Requirement**
1. Every CACFP and SFSP applicant must consent to and pass a background check as part of the application process.
  2. This will occur upon initial application and annually at the time of renewal.
  3. Criminal convictions that occurred within seven (7) years preceding the date of the background check will be considered in the application review.
  4. The applicant background check will consist of fingerprinting,

**B. Offenses Will Result in a Denied Application**

Any applicant found to have a criminal conviction in the seven (7) years preceding the date of the background check that indicate a lack of business integrity including, but not limited to:

- a. fraud,
- b. anti-trust violations,
- c. embezzlement,
- d. theft,
- e. forgery,
- f. bribery,
- g. falsification or destruction of records,
- h. making false statements,
- i. receiving stolen property,
- j. making false claims, or
- k. obstructing justice

is not eligible to participate in the food programs and the application will be denied.

**C. Background Check Procedures – Sponsor Responsibilities**

1. The criminal background checks required by the TDHS Food Program will be paid for at department’s expense.
2. All Sponsors must complete form HS-3239, CACFP & SFSP Sponsor Review and Disclosure.
3. The Sponsor must contact the TDHS vendor to schedule a fingerprinting appointment.
4. Sponsors must have their fingerprinting completed prior to submitting their CACFP or SFSP application.
5. Sponsors must attach a completed copy of form HS-3239 and the fingerprinting receipt via the Tennessee Information Payment System (TIPS) when submitting the application.

**D. Background Check Procedures – TDHS Responsibilities**

1. The TDHS Program Integrity Unit (PIU) will notify the Food Program Staff within three (3) business days of the receipt of the fingerprinting results.
2. If criminal records are identified, PIU will investigate the results and notify the Food Program within thirty (30) business days.
3. The TDHS Food Program Staff will determine if results allow sponsors to participate or be excluded during the application approval.
4. If a sponsor’s application is denied based on the results of the background check, the THDS Food Program Staff will inform the applicant in writing and provide them with their appeal rights. (SFSP Sponsor Appeal Procedures or Appeal Procedures for CACFP – Institutions as applicable)

**Forms** [HS-3239 Child And Adult Care & Summer Food Service Program Sponsor Review and Disclosure Form](#)

**Collateral Documents** Denial Letter (generated by Food Program)  
[Policy 7.01 Appeal Process for Child and Adult Care Food Program Sponsoring Agencies](#)  
[Policy 7.03 SFSP Sponsor Appeal Procedures](#)

**Additional Resources** Public Chapter No. 798  
Public Chapter No. 839

**Retention of Records** Pending

## Glossary

<b>Term/Acronym</b>	<b>Definition</b>
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<b>Sponsor</b>	The sponsor in the case of this policy will be the individual authorized to sign the CACFP or SFSP Application and if approved the DHS/CACFP or SFSP Agreement.
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