# Kids Cafe Non-Compliance, Corrective Action, Suspension, and Inactivation Policy

## Purpose of Procedure

An Agency Partner may be placed on suspension by St. Mary's Food Bank Alliance ("SMFB") until a reported issue or compliance concern has been corrected. During a suspension period, the Agency Partner may lose program privileges, including the ability to receive and distribute meals through the Kids Cafe® Program. Failure to correct identified deficiencies may result in termination or inactivation of the partnership.

This policy outlines the infractions and procedures SMFB uses when determining whether warnings, corrective action, probation, suspension, or inactivation are necessary for participating Agency Partners. As a steward of federally funded and donated food resources, SMFB is responsible for ensuring that meals are distributed appropriately and in compliance with program requirements.

The purpose of this policy is to reinforce the importance of compliance with Kids Cafe® operational standards, food safety requirements, and accurate program administration while reducing food waste and non-claimable meals. Improper handling, distribution, or management of meals may result in financial loss to the Food Bank and reduce available meals for children in need.

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## Infractions

The following may constitute violations of Kids Cafe® program requirements and may result in disciplinary action:

### 1. Failure to Follow Food Safety Requirements

Including, but not limited to:

- Staff not maintaining valid food handler certification or required food safety training
- Failure to maintain proper cold food storage temperatures
- Failure to maintain clean coolers, storage areas, or food service equipment

### 2. Inadequate Recordkeeping

Failure to maintain complete, accurate, and timely records as required by program guidelines.

**3. Failure to Follow Meal Distribution and Meal Count Procedures**

Including, but not limited to:

- Failure to submit weekly meal count forms
- Repeated incomplete or inaccurate meal count documentation
- Excessive meal waste resulting from over-ordering
- Excessive second meals served or meals provided to adults
- High volume of returned meals
- Failure to cancel meal service for scheduled closures

**4. Discrimination or Denial of Services**

Any indication that services are denied on the basis of race, color, age, religion, national origin, sex, sexual orientation, disability, or political affiliation.

**5. Distribution to Ineligible Recipients**

Providing meals or products to individuals not eligible to receive them, except where allowable under leftover meal guidance.

**6. Failure to Cooperate with Monitoring**

Failure to allow monitoring visits, repeated site closures during scheduled operations, or failure to respond to scheduling attempts by the Child Nutrition Team.

**7. Failure to Maintain Communication**

Failure of designated Agency Partner staff to communicate or respond to SMFB staff in a timely manner.

**8. Failure to Report Operational Changes**

Relocating, changing meal service days, or modifying operating hours without prior notification to the Child Nutrition Team.

**9. Unauthorized Exchange of Meals**

Exchanging meals for money, property, services, or other unauthorized compensation.

**10. Unauthorized Removal of Meals**

Removing meals from the approved service location without prior authorization from the Child Nutrition Team.

**11. Misuse of Program Meals**

Using meals for purposes unrelated to approved program activities.

**12. Disrespectful Conduct**

Agency Partner staff or volunteers displaying blatant disregard, misconduct, or disrespect toward Food Bank staff or policies.

**13. Other Violations**

Any additional action determined by SMFB staff to violate the intent or spirit of the Agency Partner Agreement.

**14. Major Program Violations**

Including, but not limited to:

- Including adult meals in child meal counts
- Allowing off-site meal consumption when prohibited
- Serving more than one meal at a time to children
- Block claiming (see Block Claiming Policy)
- Serving meals outside approved meal service times

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**Infraction Policy**

Disciplinary action may be taken when one or more infractions occur. Corrective measures will be determined based on the severity, frequency, and impact of the violation and remain at the sole discretion of SMFB management.

Disciplinary action may include, but is not limited to:

- Verbal warning
- Written warning
- Corrective action plan
- Probation
- Suspension
- Program inactivation or termination

St. Mary's Food Bank®

**Infraction Notification**

If an infraction is identified, the Agency Partner representative will generally be notified within forty-eight (48) business hours. Notification may include:

- Description of the violation
- Impact to the Food Bank or program
- Required corrective action
- Timeline for compliance

Possible consequences may include:

- **First Offense:** Written warning and corrective action
- **Second Offense:** Suspension from the Kids Cafe® Program
- **Third Offense:** Suspension from additional SMFB programs or services

SMFB reserves the right to modify program requirements, corrective actions, or disciplinary measures as necessary. Notification by email, telephone, or written correspondence shall be considered sufficient notice.

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**Corrective Action and Probation**

Agency Partners issued a Corrective Action Plan may be placed on probation for a specified period to allow deficiencies to be corrected.

The Child Nutrition Team will notify the Agency Partner of the identified concerns and may schedule a meeting to review required corrective measures. During probation, the Agency Partner may retain limited program privileges as determined by SMFB.

Agency Partners must submit required corrective action documentation within forty-eight (48) hours of receiving notice unless otherwise specified. Follow-up monitoring visits or inspections may be conducted to verify compliance before probation or suspension is lifted.

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**Good Standing**

An Agency Partner that successfully completes all corrective actions and demonstrates ongoing compliance may be returned to good standing status.

**Agency Inactivation**

SMFB may immediately inactivate or terminate an Agency Partner for serious or repeated violations at its sole discretion, without prior probation.

During the inactivation period, the Agency Partner loses all rights and privileges associated with participation in SMFB programs. SMFB reserves the right to refuse service for any lawful reason.

The Agency Partner will receive written notification of the inactivation and may submit a written appeal. Appeals must include:

- The reason for the appeal
- Relevant supporting facts
- Proposed corrective measures or resolution

An inactivated Agency Partner may reapply after all deficiencies have been corrected and a compliance plan has been reviewed with SMFB.

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**Agency Reactivation**

Prior to reactivation, the Agency Partner may be required to:

- Submit a new enrollment packet
- Complete required staff training
- Participate in a site monitoring visit
- Demonstrate corrective measures preventing repeat violations

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**Grievances Against Agency Partners**

1. SMFB shall respond to complaints received from the public regarding Agency Partners or host sites, including food safety concerns.
2. Agency Partners will be notified of complaints received regarding their operations when appropriate. Depending on the severity of the complaint, an unannounced monitoring visit may be conducted.
3. Complaints and investigations may be reviewed by the Child Nutrition Program Manager, Director of Culinary and Nutrition Programs, and SMFB leadership. Findings and required actions shall be documented in the Agency Partner file.

4. Agency Partners will receive written notice of investigation outcomes and any required corrective actions.
5. Civil Rights complaints related to meal distribution or discrimination must be documented and referred to the appropriate Civil Rights Office as indicated on the "And Justice for All" poster and applicable grievance procedures.

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**Grievances Against St. Mary's Food Bank Alliance**

Agency Partners may submit concerns or appeals regarding actions taken by SMFB staff by providing written notice to:

Chief Programs Officer
St. Mary's Food Bank Alliance
2831 N. 31st Ave.
Phoenix, AZ 85009

The grievance must include:

- Reason for the grievance
- Relevant facts and supporting information
- Proposed resolution

The grievance will be reviewed by SMFB leadership, and the Agency Partner will be notified in writing of the final decision.

No Agency Partner shall be discriminated against, harassed, or retaliated against for filing a grievance in good faith.