

[Sponsoring Organization Letterhead]

**Notice of Temporary Deferment of Serious Deficiency and
Termination and Disqualification – Provider prevails in appeal**

VIA U.S. MAIL, & EMAIL

Date

Provider Name

Provider Street Address

Provider City, State 00000

Email:

Dear [Provider]:

This letter concerns our [date] Notice which proposed to terminate your agreement to participate in the Child and Adult Care Food Program (CACFP) for cause. In that letter, we also proposed to disqualify you from further CACFP participation. These actions were based on the determination in our [date] Notice that you are seriously deficient in your operation of the CACFP.

You filed a timely appeal of the proposed termination and disqualification. On [date of hearing official's decision], the hearing official issued a decision on the appeal. In that decision, the hearing official overturned our proposed actions. Therefore, [name of sponsoring organization] is prohibited from terminating your agreement and disqualifying your future participation in the Program.

SERIOUS DEFICIENCY DETERMINATION TEMPORARILY DEFERRED

You must still implement procedures and policies to permanently correct the serious deficiency(ies). Upon approval of an acceptable corrective plan, [sponsoring organization] will temporarily defer the determination that [institution] and its RPIs are seriously deficient. If [sponsoring organization] initially determines that the corrective action is complete, but later determines that the serious deficiency(ies) has recurred, [sponsoring organization] **must** move to immediately issue a notice of intent to terminate and disqualify the institution and RP/Is.

Sincerely,

Sponsoring Organization Employee Name and Title

cc: State Agency