POLICY ALERT

Date: July 10, 2009
Reference: # CACFP ADC 2009-14
To: Child and Adult Care Food Program-Adult Day Care (CACFP ADC) Contractors
Subject: Governing Body Awareness
Effective Date: October 1, 2009

Purpose
ADD CACFP-ADC Handbook Item 2140, Governing Body Awareness

Governing Body Awareness is currently a requirement in the Child and Adult Care Food Program (CACFP) – Day Care Homes (DCH). The Texas Department of Agriculture (TDA) is implementing this requirement across all CACFP to bring consistency among Adult Day Care, Child Care Centers and DCH.

Implementation
October 1, 2009

Definition
Governing Body – The elected or appointed members of an organization who jointly oversee the activities of the organization. Sometimes referred to as the Board of Directors or Executive Board. In the case of for-profit organizations, the Governing Body could consist of the owner or owners of the organization.

Procedure
Add the following to your CACFP-ADC Handbook:

2140, Governing Body Awareness

You must submit documentation that your governing body is aware of the responsibilities and liabilities of participating in the CACFP. You must include this in your application and each subsequent application (renewal or update), and whenever changes occur in the members of your governing body. Acceptable documentation includes:

- A copy of the minutes taken at an official meeting of your governing body that documents its decision to participate in the CACFP and is signed by all board members; and/or
- A written declaration by each member of your governing body that states they are aware of CACFP responsibilities and liabilities.

continued

This Policy Remains in Effect Until Further Notice
You must maintain and submit a list of governing body members with the following information for each member:

- Full legal name;
- Complete home mailing address;
- Complete home street address, if different from mailing address;
- Phone number;
- Date of birth;
- Relationship with any other member or employee of the organization; and
- Compensation, if any, that they receive for services provided to the organization.

You must maintain and submit, upon request, the minutes of the governing body meetings. (This requirement does not apply to a for-profit governing body that consists of a single owner.)

The minutes must include the:

- Date of the meeting;
- Items discussed, including action taken on each;
- Names of all governing body members who were present; and
- Names of all governing body members who voted on the action items.

**NOTE:** Governing body awareness does not apply to public institutions (such as Governmental, Military or Indian Reservations).

If you have any questions please contact your Food and Nutrition Field Operations Office.